

THE LOUISIANA HISTORICAL QUARTERLY

VOL. 3, NO. 2

April, 1920



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under Act of August 24, 1912.

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Baton Rouge, La.*

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Editor Historical Quarterly

JOHN DYMOND, Cabildo, New Orleans.

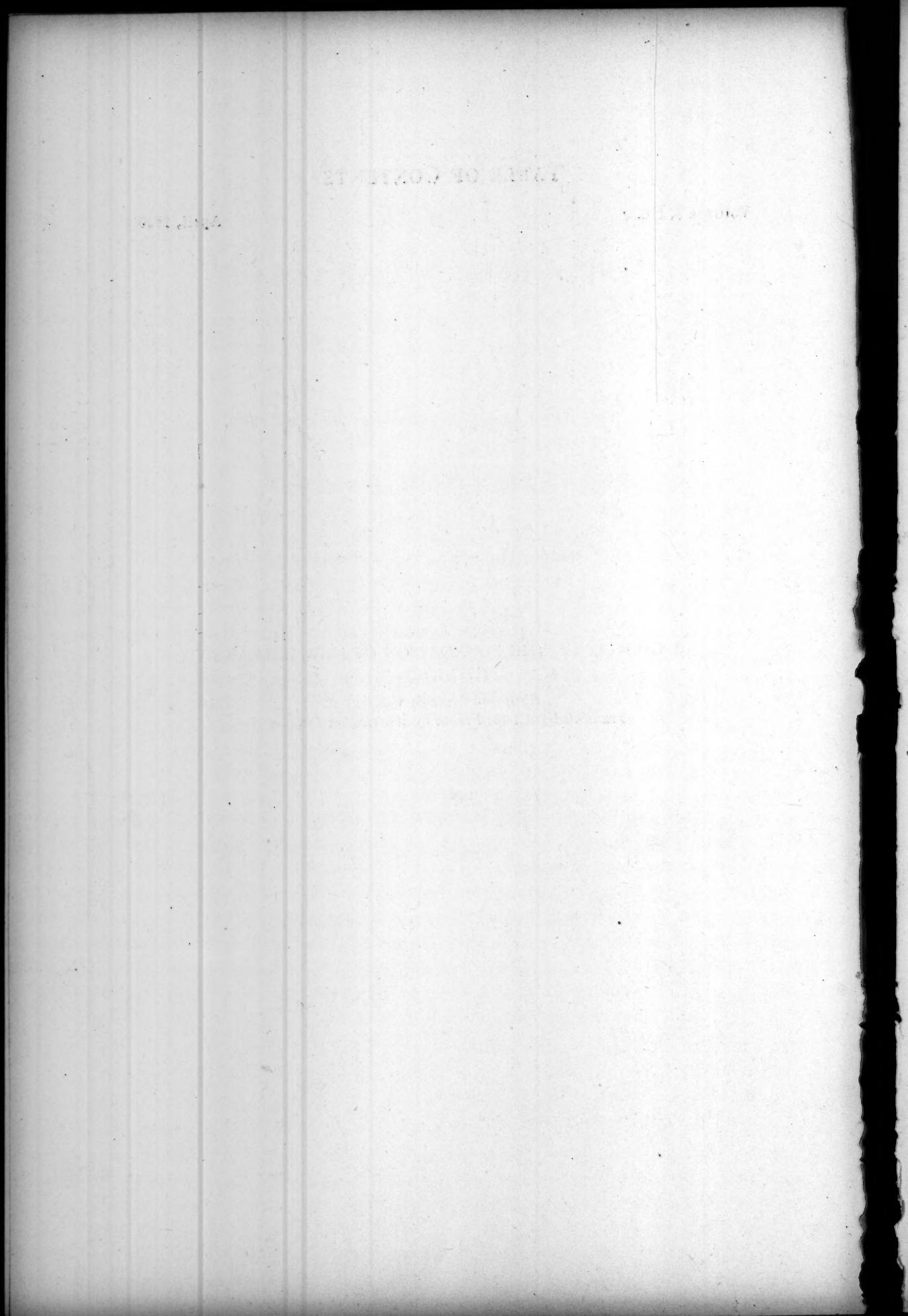
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A HISTORY OF THE FOUNDATION OF NEW ORLEANS (1717-1722)

*By Baron Marc de Villiers
Translated from the French by Warrington Dawson*



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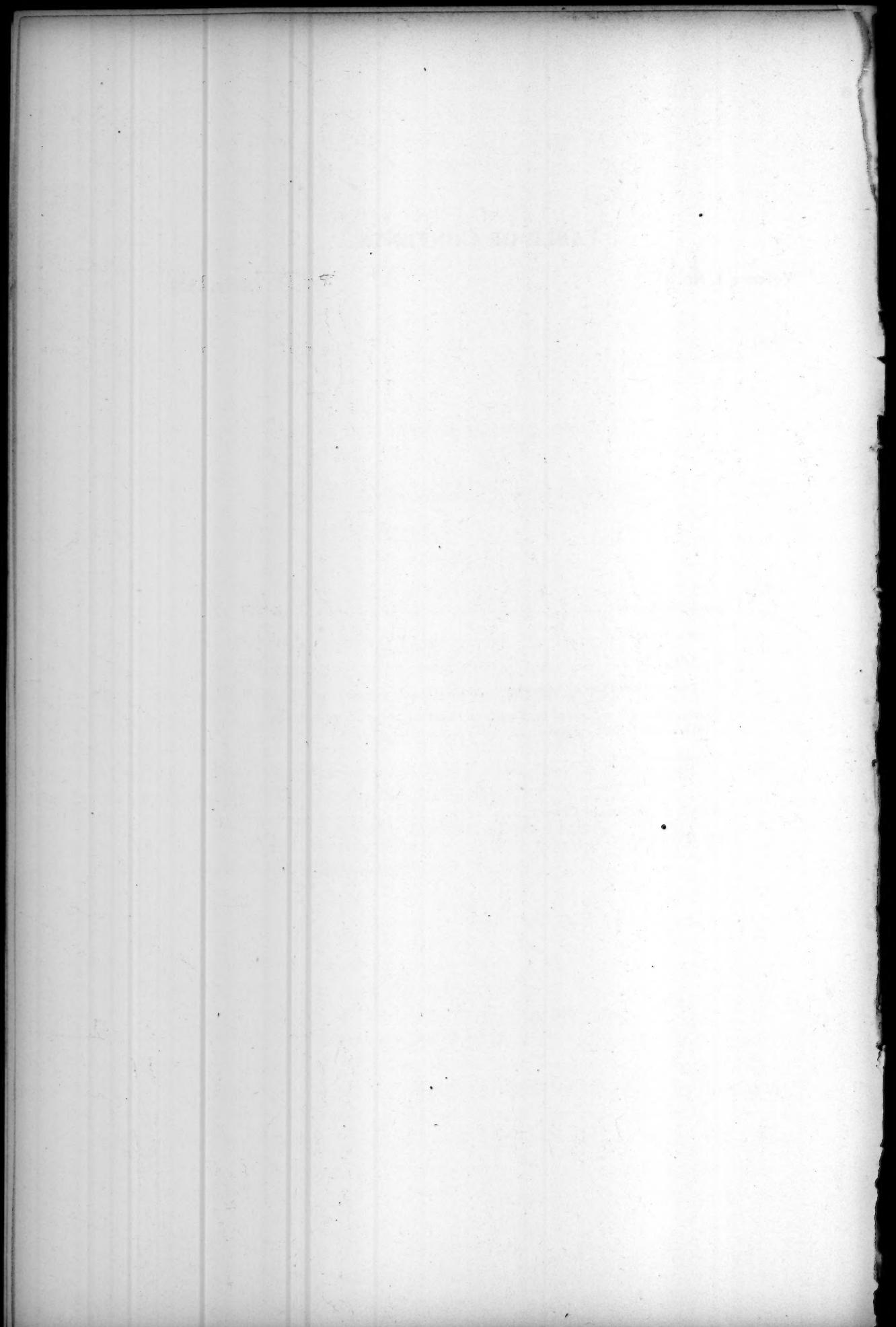
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THE LOUISIANA HISTORICAL QUARTERLY

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LIBERTY MONUMENT

By James A. Renshaw

At the river end of the Canal street neutral ground stands an imposing granite shaft, bearing on the die of the pedestal facing the great Mississippi, the following inscriptions cut into the stone:

Fell in Action

A. BOZONIER
MICHAEL BETZ
CHAS. BRULARD
JAS. CROSSIN
J. CONSIDINE
ADRIEN FEUILLAN
A. M. GAUTIER
J. K. GOURDAIN
JOHN GRAVAL
R. G. LINDSEY
F. M. MOHRMANN
S. B. NEWMAN, JR.
WM. C. ROBBINS
E. A. TOLEDANO
WM. A. WELLS
J. M. WEST

and on the base in large raised block letters

SEPTEMBER 14th, 1874

The war between the States, which had its inception with the first gun fired on Fort Sumter, lasting a period of four years, ended with the surrender at Appomattox, but for more than twice that time the Southern States were subjected to a process of reconstruction, and those days were days of suffering and humiliation, which the fanatical elements among the victors imposed upon the conquered. It would be to no good purpose now in this article to recite the facts; suffice it to say that only those who lived through that period of reconstruction can form any proper idea of the horrors thereof, or can fully appreciate the necessities that led up to the memorable 14th of September, 1874, a day full of good tidings to the South, in that it brought about in time their relief from humiliation and sorrow, and a day that should be full of rejoicing to the people of the North, in that it cleared their atmosphere of fanatical errors and brought them to see the beauties of a once more united country.

In all the Southern States alien and negro domination had been prevalent. Various means had been tried to right the wrong; one organization, the Ku Klux Klan, sworn to secrecy, attained widespread strength; but all proved of little avail to the real purpose in mind. Finally in New Orleans was formed the White League, which with one or more kindred bodies of equally determined and patriotic men accomplished the end. Many of these men had served in the armies of the South, while the others had grown to manhood since the surrender.

One or two consignments to the citizens of Belgian rifles had in the immediate days prior to the 14th been seized by the police, and the demand for their release had been refused—the authorities even going to the extent of threatening arrest for treason of those concerned. The last shipment came by steamer from New York, and the determination of the citizens to possess themselves thereof culminated in the uprising of September 14th. The arms were duly secured and distributed to the proper parties. The women of the day did well their part, and were engaged all day Sunday putting together the necessary ammunition of powder and ball.

The public mind Sunday, September 13th, was aroused by the publication in the papers of the following call:

“Citizens of New Orleans”

“For nearly two years you have been the silent but indignant sufferers of outrage after outrage—heaped upon you by an usurping government.

"One by one your dearest rights have been trampled upon, until, at last, in the supreme height of its insolence, this mockery of a Republican Government has dared even to deny you that right so solemnly guaranteed by the very constitution of the United States, which in Article Two of the Amendments declares that 'the right of the people to keep and bear arms shall not be infringed.'

"In that same sacred instrument, to whose inviolate perpetuity our fathers pledged 'their lives, their fortunes and their sacred honor,' it was also declared that even Congress shall make no law abridging 'the right of the people to assemble and to petition the Government for a redress of grievances.' It now remains for us to ascertain whether this right any longer remains to us.

"We, therefore, call upon you on MONDAY MORNING, the 14th day of September, 1874, to close your places of business, without a single exception, and at 11 o'clock A. M., to assemble at the Clay Statue, on Canal street, and in tones, loud enough to be heard throughout the length and breadth of the land, DECLARE THAT YOU ARE, OF RIGHT OUGHT TO BE, AND MEAN TO BE FREE.

"M. Musson	Jno. M. Parker
Sam Bell	O. Huard
Henry Renshaw	Perry Nugent
Jno. I. Adams & Co.	Wm. Sanchez
Schmidt & Ziegler	M. Gillis
Harrison Watts	E. F. Delbondio
W. H. Chaffe	Keep & Raymond
Chas. Chaffe	Julius Vairin
J. J. Gidiere	Robert Hare
H. S. Addison	W. J. Hare
J. M. Frankenbush	J. J. Warren
W. W. Edwards	Emile J. O'Brien
Miller & Diehlman	S. B. Newman, Jr.
Sam Flower	Jas. R. Balfour
Newman & Kent	Paul E. Mortimer
Behan, Thorn & Co.	Leeds Greenleaf
M. Hillard	J. M. Vandergriff & Bro.
B. F. Glover	S. K. Russ
Jno. W. Parsons	Holt Murray & Co.
J. B. Camors & Co.	Paul Sanager
M. Hinman	Woods Slayback & Co.
J. B. Sinnott	Eug. Soniat

S. H. Boyd
W. W. Johnson
J. B. Levert
E. B. Briggs

Louis Bush
Wm. A. Bell
Jno. N. Payne
Henry Denegre."

On the morning of Monday, September 14th, 1874, at Eagle Hall on Prytania street, where Felicity and Urania streets converge, the Crescent City White League assembled. The other organizations, of which I have made mention, were at their respective meeting places.

Later in the day a gathering of citizens thronged about Clay Statue, which at that time stood in a circle on the neutral ground of Canal street where Royal and St. Charles end. Patriotic speakers addressed the crowds. Enthusiasm was unrestrained. On the suggestion of Judge Marr a call was made upon the pretender Governor Kellogg for the surrender of the State House, but Kellogg was not to be found.

At last orders were given, and the respective armed organizations proceeded to their assigned places. Down Prytania and Camp marched the Crescent City White League, turning out Poydras and taking up position extending from the river edge back through several blocks on Poydras. On the right resting on the levee was the only company armed with Springfield rifles, while to their rear was an artillery command with one iron piece which had been made at Leeds' Foundry; but the ammunition supplied was not suitable to the bore of the gun, and so the piece could not be used. On Canal street, similarly aligned, was the Metropolitan Police, well armed with approved weapons of that date and supported by several Napoleon and Gatling guns.

About 4:15 o'clock P. M. the first shot was fired. Across the levee, and down the streets towards Canal, dashed the citizen soldiery. The skirmish, for it could not be designated by any greater name, was soon over, ending in the utter defeat of the police. The names on the granite shaft at Liberty Place tell of the fallen heroes on the one side. Of the police fifteen were killed and between sixty and seventy seriously and slightly wounded; the exact number of deaths resulting among the wounded was never fixed. During the progress of the fight from the windows of the Custom House peered the Federal troops, of which many were still quartered in the city.

That night the various commands slept under arms at their several positions. The iron crossings at the street intersections through the central portion of the city were torn up and made

into barricades. This entire section wore a war-like appearance. The next morning the police station and arsenal at Jackson Square were taken without conflict, and all opposition to the victorious citizen soldiery disappeared.

It is worthy of record that notwithstanding the intense excitement, which naturally prevailed from one end of the city to the other, no untoward act was committed by the people to cast a blemish upon the splendor of their victory. They had gathered but for one purpose, that of the overthrow of the Kellogg regime and the installation of their own duly elected government, and when that end had been virtually achieved, it had been accomplished without the marring effect of any riotous proceeding.

The story of the struggle is told with such detail, and the entire scene of the conflict so graphically pictured in the official report of Gen. Ogden, that its value as an historical document prompts its insertion here:

"Headquarters La. State Militia,
New Orleans, Sept. 17.

Col. E. J. Ellis, A. A. G.:

Colonel—I have the honor to report, that on Monday, September 14, at 1 P. M., upon the uprising of the citizens en masse, and immediately on receipt of commission from Lieut. Gov. Penn, Acting Governor during the temporary absence of Gov. McEnery, appointing me Major General commanding the State Militia, and in pursuance of his orders to assemble my troops, I at once proceeded to form a defensive line of battle on Poydras street—my right resting on the levee, my left on Carondelet street—with the intention of throwing the city into a military camp, for the purpose of thoroughly organizing the State forces.

With commendable alacrity the following commands reported at my headquarters on Camp, near Poydras street, viz:

Crescent City White League, Col. W. J. Behan, commanding, composed of:

- Section A, Captain W. T. Vaudry.
- Section B, Captain Geo. H. Lord.
- Section C, Captain S. H. Buck.
- Section D, Captain Archibald Mitchell.
- Section E, Captain R. B. Pleasants.
- Section F, Captain Thomas McIntyre.
- Section G, Captain D. M. Kilpatrick.

The Eleventh Ward White League, Capt. F. M. Andress.

The Tenth Ward White League, Capt. Edward Flood.
The Sixth District White League, Capt. C. H. Allen.
The Sixth Ward White League, Capt. Geo. W. Dupre.
The Seventh Ward White League, Capt. O. M. Tennison.
The Washington White League, Capt. A. B. Phillips.
The St. John White League, Capt. Chas. Vautier.
The Second Ward White League, Capt. R. Stewart Dennee.
The Third Ward White League, Capt. J. R. S. Selleck.
Major LeGardeur, with Capt. A. Roman's company (the remainder of his battalion being present unarmed.)

Col. Jno. G. Angell, commanding 1st Louisiana Infantry, composed of the following companies:

Company A, Capt. Borland.
Company B, Capt. F. McGloin.
Company C, Capt. Blanchard.
Company E, Lieut. F. L. Richardson.

Together with two (2) companies of artillery, under Capt. Jno. Glynn, Jr., Acting Chief of Artillery, and Capt. H. D. Coleman.

As before stated, my line of defense was formed on Poydras street, at 3 P. M., the right under command of Col. W. J. Behan, consisting of companies A, B, C, E, and G, Crescent City White League, and the commands of Captains Flood, Andress, Allen and Shropshire, supported by one twelve-pounder gun, extended from the levee to Tchoupitoulas street.

The centre, composed of the commands of Captains Dupre, McIntyre and Phillips, extended from Tchoupitoulas to Camp street; the left, with the commands of Captains Roman, Tennison and Vautier, from Camp to Carondelet street.

Col. Jno. G. Angell was ordered by me to take position on St. Charles street, above Poydras, to guard against attack from the Central Police Station, on Carondelet street.

Major J. D. Hill, of the above battalion, with Company E, Lieut. Richardson commanding, was directed to place himself on the corner of Camp and Common streets, to check any advance of the enemy by way of Chartres and Camp streets.

Captain H. D. Coleman's company of artillery, supported by Section D, Crescent City White League, under command of that trusty leader, Captain Archibald Mitchell, together with Captain Dennee's Section, were stationed at the corner of Camp and Julia streets, and the Louisiana Rifle Club, together with unattached forces, under command of Major John Augustin, at the corner of

Carondelet and Julia streets, with pickets on the extreme left and right, formed my reserve force and second line of defense.

While strengthening my lines and arranging my troops more perfectly, the enemy, consisting of about 500 metropolitan police, with six pieces of artillery, under Gens. Longstreet and Badger, moved by way of Chartres, Peters and Decatur streets, taking position on Canal street, about the United States Custom House and in front of the Iron Building and Mobile Railroad Passenger Depot, leaving a reserve of the First Louisiana Brigade to guard the State House and Arsenal at Jackson Square.

At 4:15 P. M. Brig. Gen. Badger, with about 300 metropolitans, armed with the most improved weapons, one Gatling gun, and two (2) twelve-pounder Napoleon guns, opened fire upon my extreme right, which was promptly responded to by that gallant, experienced and vigilant officer, Col. W. J. Behan, whose celerity and brilliancy of movement is deserving of the highest praise.

Captain Pleasants, Section E, C. C. W. L., whose command was armed with improved weapons and amply supplied with ammunition, gained the enemy's flank and poured a deadly fire into their ranks, which caused them to waver.

Captain Jno. Glynn, Jr., finding his piece of artillery useless, acted with the promptness and dash of a trained soldier, and ordered Lieut. E. A. Guibet to charge, which he did with gallantry, in conjunction with Company A, Captain Vaudry, and B, Capt. Lord, down the open levee and street, driving back the enemy and capturing his guns.

At the same time Company C, Capt. Buck, Company G, Capt. Kilpatrick, and commands of Captains Allen, Shropshire, Andress, and Flood, charged down Front, Peters and Tchoupitoulas streets, forcing the enemy completely from his position. To this result Major J. D. Hill contributed by a timely withdrawal of his command from the position assigned him, and aided materially in driving the metropolitans from their last stand.

In the meantime Capt. A. B. Phillips was ordered to make a flank movement on the enemy's right, in which he was assisted by Capt. Tennison's command and a portion of the St. John White League. He met and dispersed a body of them at the corner of Chartres and Customhouse streets, losing two (2) killed and three (3) wounded, and then returned to his former position, in the centre of my line.

After removing the captured guns, I resumed my original position, with the intention of preparing for an advance early the

next day upon the enemy's stronghold below Canal street; but so complete, in my opinion, was the demoralization of the enemy from the action of Monday, evidence of which I had received during the night from citizens and soldiers active in our cause, corroborated by the surrender to my command of large bodies of metropolitans, that the capture of these strongholds seemed but a question of time. To press this capture, Col. Angell, supported by Captain Coleman's artillery, was ordered to move forward early in the morning on these points, leaving his position occupied by the commands of Captains Mitchell and McIntyre.

By 10 o'clock A. M. Col. Angell was in possession of all the enemy's important points below Canal street, having received material assistance in this movement from Capt. Macheca.

Information of this result was immediately transmitted to your headquarters. The judgment displayed by Col. Angell, together with the gallantry of his officers and men in effecting these captures, merit the highest commendation.

I take pleasure in mentioning the prompt obedience to all orders and the heroic devotion to duty shown by officers and men throughout my entire command.

From the nature of the action it was not possible for all my forces to have been engaged; but I do not hesitate to state that had the necessity arisen, all would have acted equally well.

My thanks are specially due to the efficiency and meritorious conduct, before and during the action, of my staff, consisting of Messrs. T. Lee Shute, James Buckner, F. R. Southmayd, John N. Payne, Sam Flower, Wm. A. Bell, Walter Hare, Dr. J. D. Bruns, J. B. Walton and Fred Holyland; to the gentlemen who volunteered as aids, Messrs. Moore, Greenleaf, Pierce, Hardie, Buddendorff and Tobin; also to Major E. A. Burke and Capt. W. B. Krumbhaar, of your staff, for assistance in their respective departments.

E. C. Kelly for valuable information furnished; to Messrs. Kursheedt and Bienvenu, for kind services during Monday night and Tuesday. To Messrs. Geo. Williams and W. Robinson, for efficient courier service. To Col. Robt. Wood, for valuable aid in procuring arms. To Captain W. H. Morgan, for procuring ammunition for captured artillery. To Mr. J. H. Smith, for use of horses for artillery. To Messrs. D. Prieur White, Ed. Ferrigan and Vinet, for their kind personal services.

I must state that where such numerous offers of aid were tendered by citizens, it would be impossible in a report of this kind to

make individual mention, and any omission of "special notice" arises from no want of appreciation on my part.

The enemy's loss must have been very heavy, from the number of dead and wounded left by them on the field. Their chief, Gen. A. S. Badger, fell into our hands, severely wounded. My command suffered in the charge on the 14th a loss of twelve killed and thirteen wounded (several have since died), among them some of our most respected and prominent young citizens. Thus was the life blood of our best people poured out upon the altar of their country.

Sorrow fills the heart with relating that in the nineteenth century—an age of boasted civilization—and in the American Union, whose corner stone is freedom, there can be found injustice so great as to require a sacrifice so dear. In the signal victory of the 14th of September, we must acknowledge with profound gratitude the hand of a kind and merciful God.

The opportunity afforded through the mistaken strategy of a sagacious military leader, by which we were enabled to strike a blow for freedom, which, in decisiveness of character, has scarcely a parallel in history, can surely be ascribed to no human power.

To that God who gave us the victory we commit with confidence and hope the spirits of our immortal dead; and strong in the consciousness of right, record anew our holy purpose that *Louisiana shall be free*.

I have the honor, Colonel, to subscribe myself, very respectfully,
FRED. N. OGDEN,
Major General Commanding.

T. LEE SHUTE, Col. and A. A. G.

Ogden, and Behan, and Angell, and the officers and men under them wrote a page in the history of Louisiana, that no student can read without a thrill of patriotic delight.

In the latest election previously had, Jno. McEnery and Davidson B. Penn had been chosen Governor and Lieut. Governor of the State, but with the methods then in vogue their opponents, Wm. Pitt Kellogg, a stranger among us, and Caesar C. Antoine, a negro of decided African type, had been seated. With the uprising, McEnery being absent from the State, Penn assumed authority as acting Governor, and managed with marked ability the difficulties of his position.

The President of the United States at once, Sept. 15th, following the clash of arms, issued a proclamation as follows:

"Whereas, it has been satisfactorily represented to me that

turbulent and disorderly persons have combined together with force and arms to overthrow the State Government of Louisiana, and to resist the laws and constituted authorities of said State; and

"Whereas, it is provided in the constitution of the United States that the United States protect every State in this Union on application of the Legislature or the Executive, when the Legislature cannot be convened, against domestic violence; and

"Whereas, it is provided in the laws of the United States, that in all cases of insurrection in any State, or of obstruction to the laws thereof, it shall be lawful for the President of the United States on application of the Legislature of such State, or of the Executive when the Legislature cannot be convened, to call forth the militia of any other State, or to employ such part of the land and naval forces as shall be judged necessary for the purpose of suppressing such insurrection, or causing the laws to be duly executed.

"Whereas, the Legislature of said State is not now in session, and cannot be convened in time to meet the present emergency, and the Executive of said State under section four of article four of the constitution of the United States and the laws passed in pursuance thereof has therefore made application to me for such part of the military force of the United States as may be necessary and adequate to protect said State and the citizens thereof against domestic violence, and to enforce the due execution of the law; and

"Whereas, it is required that whenever it may be necessary in the judgment of the President to use the military force for the purpose aforesaid, he shall forthwith, by proclamation, command such insurgents to disperse and retire peaceably to their respective homes within a limited time.

Now, therefore, I, Ulysses S. Grant, President of the United States, do hereby make proclamation and command said turbulent and disorderly persons to disperse and retire peaceably to their respective abodes within five days from this date and hereafter to submit themselves to the laws and constituted authorities of said State, and I invoke the aid and co-operation of all good citizens thereof to uphold law and preserve the public peace.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed. Done at the City of Washington, this 15th day of September, in the year of our Lord, 1874, and of the independence of the United States the 99th.

"U. S. GRANT.

"By the President:

HAMILTON FISH, Secretary of State."

I quote from the New Orleans *Picayune* of that time a letter called forth by this proclamation and written by one of the then older and most prominent citizens of Louisiana:

“To the President of the United States of America.

“Mr. President:

“The people of Louisiana have overthrown the Kellogg usurpation and established in its stead a republican form of government, popularly called the McEnery government, an American constitutional State Government of their own free choice.

“This government is already in operation in the city of New Orleans, and before this letter reaches you, will reign supreme over every parish of the State. Justice is administered among us under its auspices; and peace, good order and popular contentment are the result.

“In the contest of arms that took place yesterday the two hostile parties were the people of Louisiana on one side, and the mercenary troops of the usurper on the other. It was not a combat between opposing hostile bodies of the citizens of Louisiana. It is deemed important to bear this fact in mind. It was a combat between the people of Louisiana and the metropolitan force, an armed body of men brought into the field by order of the usurper Kellogg, and placed under the direction of Gen. Longstreet to subdue the people.

“No company or other body of citizens appeared on the field to uphold the Kellogg power. Nor did any of the office-holders, from Major-Gen. Herron down to the poorest clerk in any of the State offices, confront the people and give an open and manly military support to their patron and master.

“Kellogg's faction has disappeared, and Kellogg himself, conscience stricken with terror, is said to be hiding behind troops of the United States and meditating his escape from the wrath of a wronged and oppressed people.

“Now, Mr. President, the people of Louisiana understand that the object you have in view by your proclamation is to uphold a constitutional State Government, the choice of the people, and not to reinstate in power a cowardly fugitive usurper. As the action of the people has fortunately resisted and overcome the attempt of the tyrant to subdue and enslave them, and has restored to them their sovereign rights, and firmly established a Government of their own choice, administering justice, maintaining peace and good order, giving assurance of honest legislation in the future, and of a pure

and honorable discharge of official duties in the judicial and executive departments of the Government, and has thus accomplished all that can be done to restore confidence in business and promote the best interests and happiness of the people, Louisiana looks forward to your patriotism and wisdom for that respect and justice which is due to her as one of the free, equal, and independent States of the Union. She feels that she stands redeemed, regenerated, and disenthralled by the virtue and valor of her sons; and that she is entirely competent to defend and protect herself against any machinations or assaults of her late adversaries. She, therefore, solemnly appeals to you not to send to her domain a body of troops not wanted here for any national or just purpose, and not to give ear to any false and calumnious imputations that may be made by her enemies against her honor and loyalty. I have ventured, Sir, to speak in the name of Louisiana, for I know the feelings and sentiments of her sons—and I have given utterance to them as I have heard them from all around me. Louisiana asks only what is her right—to be let alone. Her people will do equal justice to one another without respect to color or previous condition of servitude or place of nativity. They will be faithful to the constitution of the United States as it now stands, and to the Union, and to the constitution and laws of the State.

“I am, Mr. President, very respectfully, your fellow citizen.
“T. G. HUNT.”

But on the third day following the President’s proclamation was issued this order:

“War Dep’t., Adj’t. Gen’s. Office,
“Washington, Sept. 18th, 1874.

“Gen. W. H. Emory, New Orleans, La.

“I am directed by the President to say that your acts to this date, so far as they have been reported and received here, officially, are approved, except so far as they name Col. Brooke to command the city of New Orleans.

“It would have been better to have named him as commander of the United States forces now in that city. The State Government existing at the time of the beginning of the present insurrectionary movement must be recognized as the lawful State Government until some other government can be legally supplied.

“Upon the surrender of the insurgents, you will inform Gov. Kellogg of the fact and give him the necessary support to re-establish the authority of the State Government.

"If at the end of the five days given in the proclamation of the 15th inst. there still exists armed resistance to the authority of the State, you will summon a surrender of the insurgents, and if the surrender is not quietly submitted to, it must be enforced at all hazards.

"This being an insurrection against the State Government of Louisiana, to aid in the suppression of which the United States Government has been called upon in the forms required by the constitution and laws of Congress thereunder, it is not the province of the United States authorities to make terms with the parties engaged in such insurrection.

"E. D. TOWNSEND, Adjutant Gen'l."

During the several days intervening the people had been in control; their armed men were quartered at various points ready to make or to repel attack; but in face of this action by the military authorities of the United States the citizen soldiery disbanded.

And so for a while Louisiana was doomed. The authorities at Washington had turned a deaf ear to her appeals and reinstated Kellogg. But it was not with pomp and ceremony that the Kellogg government came again into power.

From the Sunday *Picayune* of Sept. 20th I quote:

"Sometime before 10 o'clock Saturday morning, Kellogg's private carriage and driver were observed standing in front of the St. Louis Hotel, or State House. A crowd of about five hundred persons, all negroes with two exceptions, took up their position on the opposite banquette and stared at the gallery of the State House, where a score or more of United States soldiers lounged slowly up and down, apparently totally uninterested.

"Close inquiry of these negroes showed that they had been standing there for several hours, and that they had not seen Kellogg's carriage drive up; indeed that his carriage was observed there when they first arrived.

"No one in all the neighborhood had seen either carriage or Kellogg arrive. Yet the guard at the door gave the information that Kellogg and Clarke were up-stairs in conversation with Genl. Brooke. Admittance was refused to every one. No radical chief, however consequential, was admitted to the State House; reporters were excluded by a special order.

"Kellogg's action will, therefore, only become known when he tells it himself. From the soldiers however it is gathered, that Kellogg stepped into the Executive chamber unaccompanied by any

friends, and, in the presence of Genl. Brooke, seated himself in the gubernatorial chair. This, and this only, was re-installation so imperiously ordered from Washington. There was no music, no cheers. The negroes congregated there more from curiosity, than joy or demonstration."

But a wronged people were to be justified. In itself the affair of September 14th was only an insignificant fight, but in its results none more glorious. From the Mexic Gulf to the Canadian line, from the Atlantic to the Pacific, the news had spread; and then the eyes of the people began to open to the crimes and hardships, to the oppressions and the humiliations, which had been heaped upon a fallen foe. Slowly, but surely, the truth came to those in control; slowly, but surely, save for some fanatic now and then, the gripping hand released its hold; and surely, but slowly, the people of the South came into control of their own commonwealths. The States of the Union became in time once more free and equal.

In November, 1876, Francis Reddin Tillou Nicholls was chosen Governor of Louisiana, in opposition to S. B. Packard, and but for the force of his determined character his induction into office might have been delayed. I quote from that admirable address of Mr. Carleton Hunt, delivered before the Supreme Court of Louisiana upon the death of General, Governor and Chief Justice Nicholls, as follows:

"Having declared his purpose to establish the government, he proceeded to take the oath of office. He accepted the tender of an armed force of citizen soldiery amounting to some four thousand men led by Frederick Nash Ogden, a man of heroic courage, to support him, and as Mr. Packard continued to claim the office of Governor and exercised its functions from the executive office then occupied by him at the St. Louis Hotel building, General Nicholls went on to order out the troops at his disposal, and to occupy the avenues of approach to the hotel building, and thus to hold the Packard government virtually in a state of siege."

On January 8th, 1877, Nicholls was inaugurated Governor. The ceremonies took place in St. Patrick's Hall, used at that time as a State House by the People's legislature. The building was on Camp St. facing Lafayette Square, occupying in part the site of the present Post Office.

The day was cloudy and threatening, but every now and then the sun brightened the skies. Fortunately no rain fell. An immense gathering of people filled the Hall, the square and the adjacent streets; the crowd was estimated at 20,000. It was a day that filled the hearts of the people with gladness.

With the surrender the following day, January 9th, 1877, of the Police Station, which was situated on the ground floor of the Cabildo, and of the Courts, the last vestige of what was popularly called "Carpet Bag" government took its flight from Louisiana.

One of the earlier acts of the Nicholls' administration was to issue commissions to all the officers serving Sept. 14th, 1874, resulting in the creation of a body of militia, that was the pride of the State.

On the anniversary in 1877 of the 14th of September engagement, the first since Louisiana had come into her own, there was a gala demonstration by the people of this city. A great parade of the militia was had. The printed account thereof filled more than a page of each of the New Orleans papers.

That same evening, at the Opera House, packed from pit to upper tier, Gov. Nicholls presented Fred. N. Ogden on behalf of the citizen soldiery a magnificent sword of honor. The scabbard was of solid silver with bands of gold, the blade of Damascus steel, while the tip of the handle was surmounted by a superb amethyst. Its cost was \$1,100.00. The words of presentation and of acceptance were those of two soldier men, simple but full of intense feeling. This sword, by courtesy of Mrs. Ogden, now rests in the keeping of this Society, one of its honored treasures.

At this same meeting was appointed the Monument Committee with Ogden as Chairman.

On the evening of May 25th, 1886, Frederick Nash Ogden, the one outstanding figure of the 14th September, 1874, passed into the Great Beyond. Out in beautiful Metairie sleeps this man, who had indelibly stamped his name on one of the bright pages of Louisiana history.

During his life time I was happy to know he deemed me one of his friends, and as my leader I looked up to him with admiration. I am sure all the city of New Orleans was bound to him by similar ties. This tribute to his memory, though simple in words, is rich in sincerity, for he was in deed and in fact a glorious man.

The years passed by. But on Sept. 14th, 1891 was laid, with ceremonies appropriate to the occasion, the corner stone of the present monument.

On this occasion Judge R. H. Marr presided, B. F. Jonas was the orator of the day, Rev. Dr. B. M. Palmer made the opening prayer and Very Rev. Father Bogaerts, Vicar General, gave the benediction. Genl. Jno. Glynn, Jr. laid the corner stone.

The Monument Committee was composed of the following gentlemen:

Genl. W. J. Behan	Captain A. E. Morphy
Genl. Jno. Glynn, Jr.	Major B. M. Harrod
Captain D. M. Kilpatrick	Fred G. Freret
Col. Geo. A. Williams	Col. J. D. Hill
Captain P. L. Bouny	Major G. LeGardeur
Major C. H. Allen	Captain D. A. S. Vaught
Major L. L. Lincoln	Col. Euclid Borland
Major W. E. Huger	

and the Ladies Auxiliary Committee comprised:

Mrs. F. N. Ogden	Mrs. G. A. Williams
Mrs. Jno. Glynn, Jr.	Mrs. A. B. Griswold
Mrs. J. L. Richardson	Mrs. Atwood Violett
Mrs. J. V. Moore	Mrs. — Rees
Mrs. W. E. Huger	Mrs. F. T. Nicholls
• Mrs. R. A. Wilkinson	Mrs. W. J. Behan
Mrs. A. E. Morphy	Mrs. L. A. Adam
Mrs. W. A. S. Wheeler	Mrs. J. R. S. Selleck
Mrs. Dr. H. D. Bruns	Mrs. A. Mitchell
Mrs. A. A. Woods	Mrs. Sam Flower
Mrs. Geo. Dunbar	Mrs. J. O. Nixon; Jr.
Mrs. R. S. Day	Mrs. D. A. S. Vaught
Mrs. D. M. Kilpatrick	Mrs. Alfred Roman
Mrs. S. A. Trufant	Mrs. — Rodd
Mrs. F. G. Freret	Mrs. Dr. Sam Logan
Mrs. James Buckner	Mrs. J. D. Bruns
Miss — Lobrano	Miss Kate McCall
Miss Mary Lincoln	Miss Mollie Vaudry
Miss Pinckard	

Without belittling the efforts of the men, it is a pleasure to record that to the women, whose enthusiasm knew no bounds, whose energy no flagging, was in reality due the erection of this monument.

In the copper receptacle, deposited in the corner stone, were placed:

A coin of the United States of the year 1891.

Copies of the editions of the city papers of Sept. 14th, 1891.

A copy of the *Laurel Wreath*, published Sept. 14th, 1877, giving the order of ceremonies and other data in connection with the first commemorative anniversary.

The proclamation of Lieut.-Gov. Penn of Sept. 14th, 1874; his general order No. 1 appointing Genl. Fred. N. Ogden provisional general of the Louisiana State militia; and Genl. Ogden's official report of the operations of the 14th Sept., 1874.

A map of the "Battle of New Orleans for Freedom, Sept. 14th, 1874," compiled by T. S. Hardee, civil engineer.

Bullet which caused the death of Chas. Brulard.

The day was warm and close, but still the multitude gathered with loving thoughts to do homage. It was but a little after 4 o'clock in the afternoon when the meeting was called to order, and already the sun was sinking as the Benediction was said.

This monument has a bit of history, and its recital may prove of interest. Among the exhibitors at our exposition held some 30 years ago on the grounds now known as Audubon Park was the Hallowell Quarry of Maine, represented here by Mr. Chas. A. Orleans. This company sent out for competitive display, in material, design and workmanship, a monument, the pedestal of which was surmounted by a statue of a female figure. Its beauty and its symmetrical cutting at once attracted attention, and in due time it was awarded the first prize.

The features of the statue were thought to bear quite a resemblance to those of a well known lady of this city, and this circumstance in connection with the grace of the figure itself induced its purchase by the family, and it was placed upon their tomb at Metairie, near the grounds of the Army of Northern Virginia.

Later on, the pedestal, which still remained here, was selected by the Liberty Monument Committee as well suited for their purpose; and they arranged with Mr. Orleans for its purchase and for the granite shaft to equal the pedestal in the nicety of its cut and proportions. On the 1st of Nov., 1891 the shaft having been placed in position, the completed monument was turned over to and accepted by the Committee. Mr. Orleans made the speech of presentation and Genl. W. J. Behan that of acceptance. There was a guard of honor present, members of the Committee, and several detach-

ments of military. Wreaths and garlands of flowers were placed about the monument, but otherwise the ceremonies were simple.

Already in 1882 the City of New Orleans had done its duty, for the Council had set aside and dedicated as "Liberty Place" the ground necessary for the erection of the monument. As a document of interest I give the ordinance in full:

Mayoralty of New Orleans,
City Hall, November 18, 1882.

No. 8151---Administration Series

An Ordinance repealing ordinance No. 8137 A. S., adopted November 9, 1882, and dedicating that certain portion of the "neutral ground on Canal street, between Wells and Delta streets, or as much thereof as may be necessary for monumental purposes in honor of the heroic dead of the Fourteenth of September, 1874.

Be It Ordained by the Council of the City of New Orleans, That ordinance No. 8137 A. S. adopted November 9th, 1882, be and the same is hereby repealed, and that all that portion of the "neutral ground" situated on Canal street between Wells and Delta streets, or as much thereof as may be necessary, to be specifically defined and laid out by the City Surveyor, be and the same is hereby set apart and dedicated by the City of New Orleans, as a public place or site to be known and styled as the

LIBERTY PLACE,

and is to be used exclusively in the erection of a monument in honor of those who fell in defense of civil liberty and home rule, in that heroic and successful struggle of the 14th of September, 1874.

Be It Further Ordained, That the following named gentlemen, be and are hereby appointed commissioners of said "Liberty Place," to-wit: F. N. Ogden, J. Dickson Bruns, John Glynn, Jr., and Frederick G. Freret, they being and composing the original committee of the "Fourteenth of September Monument Association," as per their petition of October 31, 1877, on file in the office of the Secretary of the City Council.

Be It Further Ordained, That said commissioners be and are hereby invested with all necessary powers for consummating the objects, purposes and intent of this ordinance.

Adopted by the Council of the City of New Orleans, November 15, 1882.

Yea—Fagan, Fitzpatrick, Mealey, Walshe.

Absent—Delamore, Guillotte, Huger.

JOS. A. SHAKSPEARE, Mayor.

A true copy:

M. McNAMARA, Secretary.

And there on Liberty Place stands this beautiful memorial, telling its heroic tale to the passer-by, a story of gallantry, and of a people's love and devotion.

During the severe storm of Wednesday, Sept. 29th, 1915, which proved so disastrous to this city, the shaft was blown from its pedestal, the force of the wind being such as to throw this tall and heavy stone to the ground about eight feet from the base of the pedestal. It apparently suffered no damage from this accident, but in some way in replacing it the stone was broken, necessitating its reduction in height by several inches, but by the casual observer no change in its appearance can be noted.

Every recurring 14th of Sept. fair hands have placed upon the graves of the fallen heroes and later about this monument garlands of flowers. As the years pass, and those who were so closely identified with this work will have gone their way, I hope they may have left to their daughters as a sacred trust the continuance of this beautiful custom.

This monument was erected as a memorial to those who fell on the 14th of September, but it is pleasing to believe that it has become in time also a tribute to the awakened people of the nation, as they clasped hands once more in harmony. And it is peculiarly fitting that it stands upon ground, not only made sacred by the conflict there fought, but which is in fact the contribution of so many of the States of this Union. In the earlier days of New Orleans the great river flowed over this spot, and only by the contribution of years of the silt carried in its flood was this new land made as we know it today. From all that great stretch of country, from the Alleghany to the Rocky mountains, up to the Great Lakes and the Canada line, came the sands, which moulding themselves during the lapse of years into solid earth, became the foundation upon which stands this simple granite shaft. And when was had the conflict, which it commemorates, the force of its teaching was felt all over this same vast territory, o'erleaping the mountain ranges, till public opinion little by little voiced itself in one great cry of brotherhood.

Well may New Orleans glory in its Liberty Monument, for it commemorates a wonderful page in its history; but not much less distinct should be the pride therein of all the people of this great country, for it tells of the binding up of old wounds and of the cementing of ties, that have enabled this nation of ours to grow and prosper and to become, as it is today, a worthy example to all the world.



CABILDO ARCHIVES

II

By Henry P. Dart

(Continued from Louisiana Historical Quarterly, January, 1920)

Criminal Trials--Louisiana

1720-1766 French Colonial Period

Our history is almost a blank on the subject of the prosecution, trial, and punishment of crimes in French Colonial days in Louisiana. We are therefore glad to be able to print four records covering prosecutions, for larceny, 1720; assault and cutting with a knife, 1728; illegal burial of a negro, 1738; and murder, 1766. This important contribution to our knowledge of that period is one of the first results of the work on our archives now actively proceeding under the writer's supervision at the Presbytery.

The first case (1720) appears to have been tried before a military court and therefore is not strictly within the scope of our inquiry, but its local interest justifies its introduction here as will be presently shown. The third case (1738) is also a variation from the ordinary type inasmuch as it seems to have been prosecuted by the Cure of the Province.

The two other cases, however, (1728-1766) are good examples or types of the criminal practice in those days. The prosecution in each instance is begun by the procureur general. The trial seems to proceed as an inquiry into or investigation of, the facts and out of the presence of the accused, who later on is "confronted" by the written report of the testimony of the witnesses. It would appear the accused was permitted to attack this evidence and to demand a "confrontation" with the accusing witness, but he seems to have had no right to be present or to cross-examine. He is without counsel to aid in his defense and there was evidently no one appointed to assist him. It also appears that he was detained in jail pending the hearing. The accused was himself subject to interrogatory (often in chains) at the jail and before the Judges, and the brief report of his replies indicates that this was done without much regard to his feelings or rights,—the latter was probably a negligible quantity. Finally, there is no jury, the Superior Council sitting as sole judges

of the facts and the law. The Attorney General sums up the evidence before these judges, whether in the presence of the accused is not shown.

This whole procedure seems to move rapidly but not without care and delay. The decision was the end of it, there was no appeal, and the judgment or sentence is summarily executed. All this, it may be added, is typical of the French continental practice of the same period and, of course, from a modern point of view is harsh and onesided.

As to the evidence on which the Court acted, which happily is preserved in full in one of the cases (1766), it demonstrates what we believe is still true in France, that there was no rule or law of evidence as we know the same now. Everything is listened to, including opinions and hearsay. The previous reputation of the accused also weighs heavily in the scale.

The two sentences, which are here preserved are fine specimens of the brutal and ferocious penalties of that day. On the whole, it is well to have this data upon the sad state of the law breaker in those early times in Louisiana, and perhaps it is the reason why according to historians Louisiana was said to be a law abiding community.

With this preface we will take up the cases, presenting first a list of the whole and then each case in order. The record will be printed in translations (made by Mrs. H. H. Cruzat) followed by the original text.

1. 1720. Feby. 23.

Jean Baptiste Porcher alias Portier, and Thomas Bahu alias LaRose, charged with larceny.

This record contains nothing but the judgment and sentence.

2. 1728. May 5.

Jean Melun alias Bourguignon, charged with assault and cutting.

This record is incomplete.

3. 1738. June 14.

Sieur Loquet de Lapommeray, Treasurer General of La. Charged with burying the body of a negritte without religious ceremony and outside the pale of the cemetery.

Contains the charge and preliminary order only.

4. 1766. Jany. 2.

Michel Degout, charged with murder.

This record is apparently complete from the commencement to the conclusion of the case, including a memorandum of the execution of the sentence.

Case No. 1. (1720).

Porcher and Bahu, Charged With Larceny.

This case is of unique interest because the defendants were accused of the theft of the personal effects of Cartier de Baune (here written Baulne) who was the first procureur (attorney) general of Louisiana. He was appointed by the Duke of Orleans, Regent of France acting during the minority of Louis XV. In the Letters Patent creating the new government of Louisiana under the Company of the West, September 11, 1719, he is described as "Sieur Cartier de Baune, who has been our Counsellor of the Chatelet and of the Presidial Seat at Paris."

The position of Councillor of the Chatelet was one of prominence and held only by good lawyers. It was the court of the people of Paris and in its legal pleading was reduced to its simplest form, and the court followed the practice and administered the Custom of Paris. De Baune arrived at the period when civil life in the Province took its real start, and all signs indicate that he was the creator of the simple system of legal pleading and practice which prevailed in French Louisiana, and to which the people recurred in the territorial period under the United States, and which, it may be said, is still a distinguishing feature of our civil practice.

It would appear from this prosecution that the learned Attorney General had scarcely warmed his official seat before he fell an early victim of the soldiery who were stationed in New Orleans before that city became the seat of government of Louisiana.

The prosecution was before a military court (or Court Martial), sitting in New Orleans, and composed of De Serigny, Commandant General of Louisiana, acting as President of the Court, with Captain De Nanere, Lieutenant DeCoublande, Ensign Chevallier Marest and Sergeants Dupuy and Beaumesnil. The signatures vary these spellings of the names. Thus the Commandant and the Captain eliminate the "De." The Lieutenant signs Decoublant and the Ensign signs Chevallier Marin de la tour, while Sergeant Beaumesnil subscribes himself Des Beaumenil.

The charge against the accused was made by Dauvil, Major of New Orleans, acting as Attorney General (evidently De Baune recused himself) and if the former was a member of the military forces the whole proceeding was clearly outside the civil jurisdiction. The only document which has survived appears to be the minutes of the final session. This document starts with the words "Veu par le Conseil Militaire," which we think may be translated as a title to

the paper, conveying the meaning "Before the Court Martial." This is followed by a series of recitations of facts which may be called a summing up of the case, and this in turn is followed by the finding or verdict of the Court.

From the whole it would appear the defendants were accused of stealing towels (or napkins) and other personal effects from the residence of De Baune. LaRose was acquitted and Portier convicted, and his signature appears at the foot of the finding. He was sentenced to be flogged during three days *by a negro*; to serve during three years as a convict to the Company at any place in the Colony where he might be sent, and to pay a fine of fifty livres to the King, to be collected out of the confiscation of his goods and effects.

Some of the words in this document are quite difficult to translate, for instance, we find no equivalent for "banns" and are not sure that we understand this meaning of the sentence "procureur banns de repetition dud it" etc. But we have done our best to render the curious text into modern English.

COURT MARTIAL

(Translation)

February 23, 1720.
Condemnation of
Jean Bte Portier
and Acquittal of
Thomas Bahu, alias
La Rose.

Before us the extraordinary process instituted at the request of M. Dauvil, Major at New Orleans; exercising the functions of the Attorney General of the King against Jean Baptiste Porcher, soldier of the Company of De Gauvrit, and Thomas Bahu, alias La Roze, defendants accused and detained as prisoners in this city at the Guard House, from the fourth to the tenth of the present month, on complaint of M. de Baulne, Attorney General, made in his letter, Gentlemen, on February first. The search made in the house of the said Porcher, where were found a part of the stolen effects; the act of deposit of the clerk, the interrogation of the said Porcher on the fifth, that of said La Roze on the eleventh; the decree which requires that these interrogations shall be repeated, notification of repetition of interrogation and of the confrontation, confession and denial of Porcher and La Roze, conclusions of the said Sieur Dauvil, Major, exercising the functions of Attorney General of the King, and after having sent for said Porcher and La Roze, the accused, and cross examined them under the customary oath, heard the report of M. de Serigny, Commandant General of Louisiana, President of the Council, the Court Martial assembled has declared the said Porcher duly tried and convicted of hav-

ing stolen napkins and other effects in the house of said Sieur de Baulne, in satisfaction of which and of other things mentioned in the charge we have condemned the accused, said Jean Baptiste Porcher, to be flogged during three days by a negro and to serve the Company, during three years, as a convict, in whatsoever place in the Colony to which he shall be sent, all of his effects acquired here to be confiscated to the King, or as shall be ordered, the sum of fifty livres fine to be previously deducted from them to the benefit of the said Lord the King. Given at New Orleans this twentieth of February, one thousand seven hundred and twenty, were present Mssrs. de Serigny, President of the Council; de Nenere, Captain; Descoublane, Lieutenant; Chevalier, Marest, ensign; Dupuy and Deaumenil, former sargents, and doing justice on the arraignment of said Bahu, alias LaRoze, considering that there are no proofs against him, the Council discharges him, as innocent and in consequence orders that he be released and set at liberty.

Signed: Portier. Serigny. Nanere. Dupuy. Decoublant. Chevalier. Marin delatour. De Beaumenil.

Original Text.

23 Fevrier 1720.
Condamnation de
Jn. Bte Portier
Et Decharge de
Thomas Bahu dit
Larose.

Veu par le Conseil Militaire Le proces Extraordinaire Instruit a la Requeste de Mr. Dauvil Major a la nouvelle Orléans faisant la fonction de Procureur du Roy contre Jean Baptiste Porcher Soldat de la Compagnie de gauvrit es Thomas Bahu dit LaRoze deffendeur accusés et détenu prisonniers de aun cet ville au Corps de Garde des quatre et dix du présent mois sur la plainte de Mr. de Baulne procureur général portée en sa lettre, Messieurs, du premier fevrier, la perquisition faite chez led Porcher ou ses trouvé partye des Effets Volée, Lacte de dépost au Greffe, Lynterogatoire dud Porcher du cinq, celuy de LaRoze du onze, Larrets qui ordonne quil Seront Repetez en leurs Interogatoire es Confrontee, procureur banns de Repetition dud jour et de leur Confrontation Confession et denegation des Porcher et LaRoze Conclusions dud Sr. Dauvil Major faisans la fonction de procureur du Roy definitives et apres avoir fais venir lesd porcher et laroze accusés, et les avoir fait subir Interogatoire et fait le serment accoutumé sur la selette ouy le rapport de Mr. de Serigny, Commandant général de la Louisianne président du Conseil Le Conseil de Guerre assemblé a declaré led Portier deument atteint et Convaincu d'avoir vollé enla Maison dud Sieur de Baulne des serviettes et autres Ef-

fets mentionnée en la plainte pour Réparation de quoy et autres Cas mentionnée au proces a Condamné led Jean baptiste Portier accusé destre fouetté pendant trois jours par un negre et asservie pendant trois année en qualite de forcat de La Compagnie au lieu de la Colonie ou il sera envoyé tous ses biens acquis dici seront confisquée au Roy ou a qu'il appartiendra suriceux prealablement pris La Somme de cinq te livres damande aplicable envers led Seigneur Roy. Donne a la Nouvelle Orléans ce vingtième fevrier mil sept cent vingt ou étoient Messieurs de Serigny président aud Conseil; de Nanere Capitaine, Descoublane Lieutenant, chevallier Marest enseigne, dupy et Beaumesnil anciens sergents & faissans droit sur laccusation dud Thomas bahu dis la Roze attendu quil ny a aucune preuves auproces contreluy le Conseil le décharge et Renvoye absou delaccusation et en conseqe ordonne quil sera Relaché et mis en liberté.

Portier.

Serigny, Nanere, Dupuy, Decoublant, Chevalier, Marin delatour,
De Beaumenil.

Case No. 2. (1728).

**Jean Melun, alias Bourguignon,
Charged With Stabbing With a Knife.**

Attorney General Fleuriau prosecutes Melun before the Superior Council, charging that on May 4, 1728, at about 4 o'clock in the afternoon the accused went "to the Coupert woman's to steal a piece of bacon and that having been caught in the act by one Dinant who was in the woman's house, he struck him several times with a knife." He has been jailed for this, says the pleader, who follows up this charge with a brief history of the man's career in New Orleans, from which it appears that the Attorney General believed him to be a very undesirable colonist.

The document is interesting to us, because the indictment details the method to be followed in the investigation, to-wit:

"May it please you gentlemen to order that on our petition Dinant be examined by the Surgeon Major of this City who will report on his wounds; let the witnesses be summoned to testify to the circumstances and surroundings (of the offense) and all else of the bad life of the accused; let him be interrogated by those of you whom it will please you to name; let him be prosecuted unto definitive judgment."

The order on this indictment is dated May 22, 1728, and is signed by Delachaise who was evidently the member of the Superior Coun-

cil acting as First Councillor or Presiding Judge. This order refers the investigation to M. Bruslé, Councillor, and directs the Surgeon Major to make an examination of the wounded man. There seems to have been a delay of seventeen days between the filing of the indictment and this order.

The record contains a report dated May 24, 1738 from which we learn that the Surgeon Major in New Orleans was *Pouyadon Delatour*. Also that Dinant was really Vignant and that he had two wounds, one on the left arm one-twelfth of an inch deep and six or seven twelfths long; the other on the abdomen penetrating about six twelfths of an inch. The surgeon reports that the wounded man told him these wounds had been inflicted by a knife but he does not mention his assailants name.

This report is followed by the note of evidence and statement of the Attorney General which shows the manner of presenting such cases to the Court after the evidence had been taken. It will be noted that the crime was committed May 4, the indictment was filed the next day and the Court acted on it May 22; that the investigation was completed within one week, and the case called for decision on the 29th.

The Attorney General's summing up is brief but he is emphatic in his view of the defendant's guilt. He asks the court to convict him of acts of violence and of wounding with a knife, and to order that he be flogged by the public executioner at the street crossings and banished forever from the Colony. There is no record of the Court's action but there is a moving appeal for a pardon by the wife of the accused claiming that her husband was insane and that he committed the act while in liquor. Perhaps the court listened to this appeal. Let us hope so for the sake of that faithful woman.

CONTENTS OF THE RECORD

Translations.

1. Petition of Attorney General instituting criminal prosecution against Jean Melun for stabbing one Dinant.
Signed: Fleuriau. Delachaise.
2. Report of Surgeon Pouyadon de la Tour, ordered by the Council to examine the wounded man and to report thereon.
Signed: Pouyadon de la Tour.
3. Summing up of the case by Attorney General Fleuriau and demand for the conviction of the accused, and imposition of the sentence.
Signed: Fleuriau.

4. Petition of Marie Fontaine, wife of the accused, to the Superior Council, for her husband's pardon, and for permit to return to France at his own expense, alleging reasons why he is not responsible for his action.

INDICTMENT

To Messieurs of the Superior Council of the Province of Louisiana:

The Attorney General of the King represents that he has been advised that one Melun, called Bourguignon, went yesterday about four o'clock in the afternoon to the Coupart woman's to steal a piece of bacon, and that having been caught in the act by one Dinant, who lives in this woman's house, he struck him several times with a knife, and that as he has been imprisoned, it is proper to examine the affair and to have this Bourguignon punished, a wretched man against whom there have already been so many complaints for pilferings, drunkenness and assault. The Council must recall that he struck with a spade one La Martiniere, and, as you may see, they were often obliged to put him in prison for his debaucheries; besides having come into this colony by force, the life he has led here leads one to believe that he has often been imprisoned in France, besides being a gambler, impudent and always drunk, and that he debauches others: this considered:

May it please you, Gentlemen, to order that on our petition Dinant be examined by the Surgeon Major of this city who will report on his wounds, let the witnesses be summoned to testify to the circumstances and surroundings and all else of the evil life of the accused, and that he be interrogated by those of you that it will please you to name for proces in due form against him until final judgment.

At New Orleans, May fifth, one thousand seven hundred and twenty-eight.

Signed: Fleuriau.

Permit for investigation before M. Bruslé, Councillor; order that Sr. Vinant be examined by the Surgeon Major of the city, this 22 of May, 1728.

Signed: Delachaise.

Original Text.

INDICTMENT

A Messieurs du Conseil Supérieur de la Province de la Louisiane.

Expose le procureur général du roy qu'il a eu avis que le nommé melun dit bourguignon étant allé hier sur les quatre heures delapres

midy chez la coupart voler quelque morceau de lard et ayant été surpris sur le fait par le nommé Dinant qui demeure chez cette femme le frappa de plusieurs coups de couteau et comme il a été mis en prison il convient de siéter cette affaire et faire punir ce bourguignon qui est un malheureux contre lequel il y a déjà eu tant de plaintes soit pour friponneries, ivrogneries, battries, le Conseil se resouviendra qu'il frappa d'une pele le nommé La Martiniere, et le pense bien, on a été obligé de le mettre souvent en prison pour ses de bauches dailleurs étant venu de force en cette colonie la vie quil a mené donne lieu de croire quil a été repris de justice en france, outre que cest un joueur, insolent qui est toujours ivre et débauche les autres, cest pourquoy ce considéré:

Vous plaise, Messieurs, ordonner qu a notre requete Dinant sera visité par le chirurgien major de la ville et lequel donnera Son rapport de ses blessures, que témoins soient assignés pour informer, des fait circonstances dépendances et autre mauvaise vie de l'accusé et quil soit interrogé par ceux des messieurs quil vous plaira nommer pour son proces luy etre fait par forme jusqua judgement deffinitif. A la Nouvelle Orléans le cinq may mil sept cent vingt huit.

Fleuriau.

Permis dynformer devant M. Bruslé Conr ordre que le Sr Vinant Sera visité du chirurgien major de la ville, ce 22 may 1728.

Delachaise.

REPORT OF SURGEON

I, the undersigned, Pouyadon De Latour, Surgeon Major of New Orleans, do certify that, by order of the Superior Council of this province, I went to visit one Vignant, whom I found at his neighbor's house, the widow Cordon, sitting on a bench. Having examined his whole body, I found two wounds, one situated on the left arm, on the exterior middle part of the bone called the radius, which penetrated the skin to the depth of one twelfth of an inch on a length of six or seven twelfths of an inch.

The other on the lower part of the abdomen, on the same side, sliding between the skin and the muscles of the external abdomen, penetrating about six twelfths of an inch. The said Vignant told me that he received, in both places, two stabs with a knife, as it appeared to me to have been done with a sharp instrument, having found him without fever nor inflammation, but not being able to answer for any accidents which might supervene. In faith of which I sign the present true report to serve and stand for whom it shall concern.

At New Orleans, this 24th day of May, 1728.

Signed: Pouyadon De latour.

Original Text.

SURGEON'S REPORT

"Je sous signé Pouyadon De Latour, Chirurgien Major de la Nelle orléans Certifie, avoir Esté par ordre du Conseil Suppérieur de cette province pour visitter le nommé Vignant auquel je lay trouvet chez la Veuve Cordon sa Voisine asis sur un banc Layant examiné par tout le Corps Je Luy ay trouvet deux blessures. Les- quelles sont situées U nne Sur le Bras gauche a la partie moyenne Et Extérieure de Lavant dudit Bras sur los nommé Radius Laquelle péné- traen la peau de la profondeur dunne Ligne de La Longueur de Six a Sept Ligne.

Lautre au Bas Ventre dud mesme Costé glissan Entre La peau et Les muscles de labdomen externe pénétrant Environ six Ligne Ledt Vignant madit avoir Recu a les deux androit deuc coups de couteaux. Comme il ma aparut avoir Esté fait par un instrument tranchant ne luy ayant trouvé auqune fievre ny inflamation audite playe San Répondre aux accidents qui peuvent survenir. En foy dequoy Je Signe le présent Raport Véritable Pour Servir Et Valloir a qui il appartient a la nle orléans Ce 24 May 1728.

"Pouyadon Delatour."

ATTORNEY GENERAL'S ARGUMENT

Before us the criminal process instituted, entered and followed on our petition against Jean Melun, alias Bourguignon, prisoner in our prisons, for assault, acts of violence and stabbing with a knife one Vignant. Our petition of the twenty-second of May, present month. Interrogation of the accused of the same day.

The report of the Surgeon of the twenty-fourth. The investiga- tion on the same day, May twenty-fourth, one thousand seven hun- dred and twenty-eight, and all that has been done under the process seen and duly considered:

I require in the King's name, that the said Jean Melun Bour- guignon be declared guilty and convicted of acts of violence and of having wounded with a knifé in satisfaction of which he be sentenced to be whipped at the crossings of this city by the executor of justice (sheriff) and banished from this city forever, enjoining him not to break his ban under the penalties which will follow, and condemned to bear costs.

At New Orleans, the twenty-ninth of May, one thousand seven hundred and twenty-eight.

Signed: Fleuriau.

Original Text.

ATTORNEY GENERAL'S ARGUMENT

"Vu par nous le proces criminellement intenté et suivuy a notre requete a l'encontre de Jean Melun dit Bourguignon pour faits de violence voyes de fait et coups de couteau donnés au nommé Vignant prisonnier en nos prisons. notre requeste du vingt deuxieme may présent mois. Interrogatoire de lacuse du mesme jour.

Le rapport du chirurgien du vingt quatre linformation du mesme jour vingt quatre mau mil sept cent vingt huit et tout ce qui a été mis au proces vu et murement considéré:

Je requiers pour le Roy que le dit Jean Melun bourguignon soit déclaré atteint et convaincu de voyes de fait et d'avoir frappe du couteau pour réparation de quoy condamné a être battu de verges dans les carfours de cette ville par l'executeur de justice et banny de cette ville a perpetuité enjoint a luy de garder son ban sous les peines qui y échéent et condamné aux depens; a la nouvelle orléans le vingt neuvième may mil sept cent vingt huit.

"Fleuriau."

PETITION OF CONVICTED MAN'S WIFE FOR HIS PARDON

To Our Lords of the Superior Council of the Province of Louisiana:

Very humbly petitioning Marie Fontaine, wife of one Jean Melun, alias Bourguignon, says that she has the honor to beseech your mercy in favor of her said husband, though she does not pretend to excuse his fault, which was only committed under the effect of drink and of his insanity, which is known to all, and which is caused either from birth or from the trepanning he underwent in France. If you would kindly examine the person of the culprit and the circumstances of the act, you would readily discover that it is an act of insanity aided by the liquor he had taken and in which the wounded man participated. Why,—since the Coupart woman had money and wages due to him—could they not leave him the meat and make him pay for it without striking him?

The said petitioner has the honor to show to you, Gentlemen, that if you had been kind enough to grant him his passage as to a man who came of his own free will, as to one senseless and useless to the colony, at his expense, she would not at this day have the grief of seeing him in this condition. The petitioner some two years ago, in a petition which must actually be in the Council, represented to you that if her husband did not go over to France, his insanity and

his despair from being retained in this country by force would cause him to commit some mad act;—the misfortune she dreaded has happened.

Whereupon she throws herself at your feet to beseech you to allow yourselves to be moved to pity; let your justice give way to mercy, not in regard to her husband who is unworthy of it, but for herself, who being obliged to work with her hands cannot find work to do, to what straits will she be reduced. Alas, Gentlemen, let the consideration of the wretched state in which she will find herself lead you to relent; consider, will you please, that he is a lunatic, that he was the one attacked, that the knife he used to stab did not belong to him since he does not carry any. This is why she beseeches you, Gentlemen, to forgive him for her sake in consideration of his insanity; with this to grant him his passage to France, at his expense, offering also to pay for dressing of the wounds and the food of the wounded man, in the event that your mercy prompts you to grant his pardon. This is what she hopes for, what, with crossed hands, she implores you to grant her; not being able to show her gratitude otherwise, she will never cease to offer prayers to the Lord for your preservation.

At New Orleans, this 24th of May, 1728.

(Original Text.)

A Nos Seigneurs du Conseil Supérieur de la Province de la Louisiane.

Suplie tres humblement Marie fontaine femme du nommé Jean Melun dit Bourguignon disant qu'elle a l'honneur d'implorer votre miséricorde pour Son dit mary quoique qu'elle ne prétende point excuser sa faute qui na Esté Commise que par un Coup de boison et Sa folie qui est Connue de tout le monde, Laquelle luy est Causée Soit par Naissance Soit par l'operation du trépan quil a Souffert en France, pour peu que vous vousliez bien examiner la personne du Coupable en les Circonstances de l'action Vous découvrirez aisément que Cest un Coup de folie Joint a la boison dont il estoit pris et ou le blaissé a aussy paru, Car pour quoy puis que la la Coupart avoit de largent et des gages a luy ne pouvoit on pas luy laisser cette viande et la luy faire payer Sans le frapper.

La d Supliante a l'honneur de vous Exposer Messieurs que Sy vous eussiez bien Voulu luy accorder son passage Comme homme venu de Volonte, Incencé et inutile au pays en payant Elle n'auroit pas aujourd'huy le chagrin de le voir en cet estat, La Supliante vous a representé il y a prest de deux ans dans unne Requête qui doit estre actuellement au Conseil qu sy son dit mari ne passoit point en France,

Sa folie et le desespoir de se voir retenu en ce pays par force luy feront faire quelques Mauvais Coups; Voila le malheur qu'elle craignait arrivé.

C'est pourquoy Elle se jette a vos pieds pour Vous Suplier de Vous laisser fléchir, et que Votre Justice fasse place a votre miséricorde. non par rapport a son mary qui en Est Indigne, Mais par rapport a Elle qui Estant obligée de vivre du travail de Ses mains ne trouvera plus d'ouvrage a faire; a quoy Sera elle donc réduite; helas, Messieurs, que la veue du misérable Estate ou Elle Va estre Vous touche, Consideréz Sil Vous plait que Cest Un fol, que Cest Luy qui a esté lagraissé que le Couteau avec Lequel il a frappé nétoit point a luy puis quil nen porte point; Cest pour quoy Elle Vous Suplie Messieurs, de Vouloir bien Luy pardonner et Eu Egard a Sa folie, Ensemble Luy accorder Son passage pour France En payant; offrant de payer aussy les pensements et alimens du blaissé au Cas que Votre miséricorde Vous porte a Luy faire grace. Cest Ce qu'elle espere de vous et qu'elle Vous demande a mains Jointes ne pouvant rien faire pour Vous En témoigner Sa gratitude, Elle ne cessera d'offrir Ses Voeux au Seigneur Pour Votre Conservation.

A la Nelle Orléans, ce 24 May 1728.

Case No. 3. (1738).

Sieur Loquet de la Pommeraye, Treasurer General of New Orleans, Charged With Causing the Body of a Young Negress (negritte) to be Buried Without Religious Ceremony and Outside the Pale of the Cemetery.

This unusual case covers a prosecution by Rev. Father Mathias, Curé of New Orleans and Vicar General of the Bishop of Quebec, against the Sieur Loquet de la Pommeraye, Treasurer General of Louisiana, complaining that the defendant has disregarded the ordinance of the King in the black code by causing to be buried a negro girl of 12 or 13 years outside the cemetery and without the ceremonies of the Church. He asks that the Treasurer be cited and sentenced to such penalty as the laws permits and that the body be exhumed and reinterred in the cemetery according to the rites of the Church.

The petition is addressed to Salmon, First Judge of the Superior Council and is signed by the complainant in his official character.

It shows that criminal proceedings could be invoked by others than the Attorney General and it shows also the power and courage of the Curé, who did not hesitate to attack a high official for violation of duty to the humblest and lowliest inhabitant.

The petition was filed June 14, 1738 and Judge Salmon acted immediately, ordering the defendant to be cited, and in the meantime "that the body of said negress be exhumed to be transported to the cemetery of this City."

The record preserves the petition of the Curé, the preliminary order of the judge, the return of the sheriff, showing service on the Treasurer, and the motion of the Attorney General (Fleuriau) demanding that the accused be condemned to pay a fine of thirty livres for the benefit of the cemetery, and that similar infractions be prohibited. This motion was made July 5, 1738. There is nothing to show the end of the case.

The document is interesting because it preserves in brief space several of the current formulas of legal practice.

(Petition June 14, 1738).

TRANSLATION

Petition.

To Monsieur de Salmon, Commissaire-Ordonnateur, first Judge of the Superior Council of the Province of Louisiana in New Orleans.

Sir:

Rev. P. Mathias, Curé of New Orleans and Vicar General of His Grace, the Bishop of Quebec, has the honor to report that M. de Lapommeray, Treasurer General of New Orleans, on his own personal authority, caused to be interred by his negroes the body of a negress of twelve or thirteen years, out of the cemetery, contrary to the ordinance of the King in the Black Code, by which His Majesty wills and intends that the masters be obliged to inter the bodies of their baptized slaves in the cemetery, with the ceremonies of the Church. On this report Father Mathias demands that the body of the said negress be exhumed to be reinterred in the cemetery according to the rites of the Church, and that the said Monsieur de Lapommeray be cited before the Council of our Most Christian King and do justice.

At New Orleans the fourteenth of June, one thousand seven hundred and thirty-eight.

F. Mathias, Curé Vic. General.

Order. Let the party be cited according to the present demand and in the meanwhile we order that the body of the said negress be exhumed to be transported to the cemetery of this city. This fourteenth of June, 1738.

Signed: "Salmon."

Sheriff's Return. In the year one thousand seven hundred and thirty-eight, on the eighteenth day of June, in virtue of the above order, on petition of Rev. P. Mathias, Curé of New Orleans and Vicar General of His Grace the Bishop of Quebec, I Marin Lenormand, sheriff of the Superior Council, being in New Orleans where (I cited the)† Si(eur)† de la Pomeray, Treasurer of the Marine, (residing)† in New Orleans (to)† appear before the Superior Council at its (next)† session to proceed to investigation of circumstances, and dependencies and costs and have left him a copy of petition as well as of the present summons of which act was passed.

Signed: "Lenormand."

Motion of Attorney General. Considering the present petition, I demand in the King's name, that Sieur Loquet de la pommeraye be sentenced to pay a fine of thirty livres to be applied to fencing in the cemetery of this parish, and that he be prohibited to relapse into a like infraction. At New Orleans, July fifth, one thousand seven hundred and thirty-eight.

Signed: "Fleuriau."

†Supplied.

(Original Text.)

A Monsieur, de Salmon Commissaire, Ordonnateur de la Marine, premier juge au Conseil Supérieur de la Province de la Louisiane, a la Nouvelle Orleans.

Monsieur:

Le Rev Père Mathias Curé de la Nouvelle Orléans, et Vicaire Général de Monseigneur Levesque de Quebec a l'honneur de Vous exposer que Mr. de Lapommeray Trésorier Général de la Nouvelle Orléans Auroit fait Enterrer de son autorité privé par ses Negres le Corps d'une Négritte de douze a treize ans hors contre Lordonnance du Roy porté dans le Code Noir, par Laquelle Sa Majesté Veut Dt Entend que les Maitres Sont tenus de faire Enterrer avec les cérémonies de dans le Cimetière les Corps de leurs Esclaves qui seront baptisé; Sur cet Exposé demande le dit Rev P. Mathias que Le Corps de la ditte Négresse Soit Exhumée pour Ensuite Etre enterré

dans le Cimetiere Suivant le Rite de Leglise, et Mondit Sr de La-pommeray Cite devant Vous le Conseil de notre Roy tres chrétien, et feres justice. A la Nouvelle Orléans Le quatorzieme juin mil sept cent trente huit.

F. Marhias Curé Vic. Général.

Soit partye appellé aux fins de la présente Reqte Et cependant ordonnant que le corps de la d négresse sera exhumé pour etre transporté dans le cimetiere de Cette ville Ce 14 juin 1728.

Lan mil sept cent trente huit Et le dix huite jour de juin en vertu de Lordonnance cydessus le Rev. P. Mathias Curé de la Nelle Orléans Et Vicaire Général de Monseigneur Levesque de Quebec Jay, Marin Lenormand huissier au Conseil Supérieur étant a la Nelle Orleans ou le Si de la Pommeray, Trésorier de la Marine, a la Nelle Orléans a comparoir au premier jour en la Chambre du Conseil Supérieur ala pr Et procéder, sur Et aux fins de la Reqte Circonstances Et Dépendances Et dépend Et Luy ay Laissé Coppie tant de la Reqte que du présent Exploit dont acte.

Lenormand.

Vu la présente requeste Jerequier Pour Leroy que le sieur Loquet de la pommeraye soit condamné en trente livres demande applicable alentouragedu cimetiere de cette paroisse quilluy soit fait deffenses de récidive en pareille contravention. A la Nouvelle Orléans, le cinquieme Juillet mil sept cent trente huit.

Fleuriau.

Case No. 4

Michel Degout Charged With Murder

This record presents a fine example of the method of procedure in criminal cases near the close of the French Regime. As will presently be shown it is in literal accord with the French continental practice under the Ordinance of October, 1670.

The case is presented in two phases. The first is equivalent to our modern preliminary examination before a committing magistrate, but it differs in its results for, the testimony here taken is the record on which the accused was tried, with an exception presently to be

noted. The second phase is the actual trial before the Superior Council. The first part opens before *Daniel Pain*, Judge, at Natchitoches, Louisiana, which was the scene of the crime.

Michel Degout is charged with the murder of one Crette, whose first name is not given, at Natchitoches, October 9, 1765. The Superior Council at New Orleans apparently had issued an order in November, 1765, to Mr. Pain, acting judge, at that place to investigate and report to the Council. He seems to have completed the investigation at one sitting, January 2, 1766. The decision was rendered in New Orleans, February 1, 1766, by the whole Council, seven members. The accused was found guilty and condemned to death with a multiplication of torture before death and in execution of the sentence. It would appear however, that the judges relented and modified the penalty so that death preceded the mutilation.

The record is complete save the first document, the indictment. It appears that Judge Pain's inquiry was conducted out of the presence of the accused, who, it is certified, was confined in jail at New Orleans. The official proces verbal or return of the order begins with a caption or certificate showing the capacity and authority of the investigating judge and this is followed by the depositions of the several witnesses, reported after the old manner by summary and not by questions and answers. It would also appear that the inquiry was conducted by the judge *ex parte*, with the assistance of his clerk there being no reference to an appearance by any one for the prosecution or the defense.

Each deposition is preceded by the declaration of the witness under oath that he is neither a relative nor servant of either party, meaning the deceased and the accused; (evidently they had the rule of exclusion for interest) and that he has appeared under notice (or subpoena) from the Judge. The deposition is closed by a recitation that the deposition was read to the witness who persisted therein and that he took or refused the witness fee (variously termed tax or salary) to which he was apparently entitled. It also carries at the close the phrase "in accordance with the ordinance", showing that the officer employed a form, long established, and which was in turn prescribed by the Ordinance of 1670 on Criminal Procedure. The whole is then signed by the witness, the Judge and by the Clerk of the Court.

The completed return shows that Judge Pain examined six witnesses whose occupations give some idea of the variety to be found in that isolated place in 1766. Among these we find a blacksmith, a trainer of paroquets, a merchant, a "habitant" (farmer or planter),

the wife of the same, and a negro slave belonging to them. Two witnesses, and apparently important ones, are described as voyageurs, who could not be found.

The proces verbal is concluded by a brief order of Judge Pain, directing one of these witnesses, Madame Darbanne, to go to New Orleans to be examined and confronted with the accused. He also transmits the proces verbal for such further proceedings as may be necessary.

On the whole one is able from these documents to get a clear view of the occurrences leading up to the killing, but the legal mind of 1920 reacts to the possibility that the accused did not have "his day in Court" at this most critical period of his trial.

The second phase of the case develops in New Orleans. The record recites that on January 29, 1766, the accused was brought from jail by the jailer and confronted by Mrs. Marie LeClerc, wife of Darbanne, in the presence of Charles Marin de la Lande D'Appremont, councillor, commissaire in this case. These papers throw great light on this peculiar feature of old criminal trials and from them we may learn just how that proceeding was conducted.

Each step in the case is opened and closed with a certificate reciting the date and other particulars; thus the first paper states that Degout and Mrs. Darbanne were sworn "and challenged to say whether they knew each other," after which the clerk of the Council read the first paragraphs of Mrs. Darbanne's testimony as given before Judge Pain and Degout was "challenged" to furnish answers to the said witness if there were any. Afterward the testimony and reexamination were read to him. This part closes with the signatures of the accused, the clerk of the Council and the Judge. The clerk who conducts the proceeding to this stage is Henry Gardrat, the clerk of Judge Pain's Court; possibly it was his duty to be present to verify the examination or perhaps to assist the upper judges.

This is followed by a report of Degout's testimony on the challenge, which is signed by him, by Garic, clerk of the Superior Council, and by Judge de la Lande. It closes with the statement that the accused was remanded to jail; that the jailer was ordered to put irons on his feet and hands, and that this report be transmitted to the Attorney General.

The next step is taken on the same day (29 January, 1766) by the Attorney General (name not given but doubtless Lafreniere, who was holding the office at that date) who appears before Judge de la Lande to require the re-examination of Marie Darbanne, and there-

upon the witness was produced and sworn, her deposition as given before Judge Pain was read to her and she "declared it to be the truth without anything to add to it, nor to omit and persisted therein," but at that moment of signing she "adds that in the moment Degout committed the deed she lost consciousness and was ill." She declares she does "not know how to sign" and the deposition is closed with the signatures of the Judge and his clerk (de la Lande and Garic). There is nothing to indicate that the accused was present on this occasion.

Two days afterward, February 1, 1766, Degout (the accused) is brought before Denis Nicholas Foucault, acting as first judge in the Superior Council and from this testimony we learn that the accused was "a master sculptor," aged 47 and a native of Paris. He was put under oath and interrogated by the Judge, the questions and answers being given. He was particularly interrogated upon his past history and denied having killed any one before, but said "that twenty-two years ago he had been arrested at Leogane for having stolen three silver pieces with another man while drunk, for which he was whipped through the town, branded with a fleur de lys and banished." From these answers it is clear that he admits the slaying but contends it was in self defense. The deposition is signed by him and by Judge Foucault.

On the same day, February 1, 1766, the Council met to determine the culprit's fate. This document shows that there were present "Aubry, Commandant of the Colony, Knight of the Royal and Military Order of St. Louis; Foucault, Intendant Commissary and First Judge; de la Lande D'Appremont; Huchet de Kernion; de Launay, councillors; and Messrs. Le Sassier, de la Chaise, de la Place, councillor assessors, and the Attorney General of the King."

The Attorney General presents the several depositions and documents which we have examined in the foregoing pages, and thereupon the Council renders judgment, finding Degout guilty. The court was unanimous and the autographs of the judges are affixed to this instrument. The whole barbarous punishment which the defendant is to undergo is detailed in this decree and it is a terrible specimen of the bloody penalties inflicted by the early criminal law. Fortunately it was not peculiar to Louisiana; its prototype can be found in all the countries of the world at the period in question—the last half of the eighteenth-century.

The authority for these proceedings, as we have previously said, is the Ordinance of 1670. Regarding this, the following extract from Larousse (Dictionnaire Universel, Vol. II, page 1424, Ordinances)

will help us to understand and appreciate position of Judges and accused in Louisiana in 1766. The author says:

ORDINANCE OF OCTOBER, 1670. This ordinance, whose chief framer was the Counselor Pussort, has as its object the fixing of jurisdictions, and the rules of procedure in criminal matters. It followed the deplorable mistakes of that of Villers-Cotterets of 1539. It is possible to give a summary of the ordinance by its general provisions. Instructions are given for every step of the trial. The testimony of witnesses is received and reduced to a proces verbal of inquest,—not by judges on the bench, but by a judge "Commissaire." The same commissioner continued to act alone, interrogating the accused and writing down his answers on a proces verbal. The unhappy accused, before being interrogated, has to take an oath to testify to the truth. The law seeks here to influence even the conscience of the accused and to put him on the alternative of perjuring or denouncing himself. Then followed the recalling of witnesses and their confrontation with the accused. The latter had to make his denials of the witnesses' testimony (reproaches against the witness) at the very moment of the confrontation, and they were not received later unless at the time of the confrontation the accused was not shown a written report of his answers. It was only when this inquiry was completed that the accused appeared before the judges assembled as a tribunal, or before the court who was to pass on his fate, and he then underwent another interrogation, this time on the witness stand. It was at this time that he was allowed to offer proof thereon. If the judges were not satisfied with the justification offered by the accused, they then proceeded with the case. If the case was one of capital offense and the inquiry disclosed considerable proof of guilt but still insufficient to justify an immediate conviction an interlocutory sentence was rendered, ordering that the accused be re-examined (called "question"). On this reexamination he was interrogated by the judge commissioner, who, for that purpose proceeded to the torture chamber and made a proces verbal of the declarations which the tortures extracted from the accused. This was the "preparatory" torture before the final sentence. There was also a "preliminary" torture which was undergone after the final sentence and before the execution. The purpose of this "preliminary" torture ("question") was to obtain from the condemned person the names of his accomplices in those cases where there were thought to be accomplices.

In capital cases the accused was not allowed counsel or a defender. The Ordinance allowed an accused counsel only in exceptional

cases, where was involved questions which necessitated legal learning, such as embezzlement, fraudulent bankruptcy, and forgery.

Louis XVI abolished the "preparatory" torture in 1780 and the "preliminary" torture in 1788.

The record as here presented is composed of the following documents which are printed in translation made primarily by Mrs. H. H. Cruzat, but other hands have assisted in it. The original text is also printed following the translations.

1. Proces verbal of investigation before Judge Pain at Natchitoches, January 2, 1766, containing deposition of Pierre Francois Dudcet; Michel Bruniau, called La Rochelle; Pierre Darbanne, Marie Leclerc, wife of Pierre Darbanne, Jeanne, negress slave of the last two.

2. Proceedings before Superior Council of Louisiana, containing confrontation of Michel Degout and Marie Leclerc Darbanne before Judge Charles Marin de la Lande D'Appremont, reexamination of the latter before same judge, and interrogation of Michel Degout before Judge Denis Nicholas Foucault, First Judge of the Superior Council.

3. Minutes of the hearing before the full Council and judgment rendered February 1, 1766, condemning the accused to death, and amendment to said judgment and certificate of the execution of the sentence, which it would seem was immediately after the judgment was rendered.

FIRST HEARING

Pain. Investigation before me, Daniel Pain, sub-
January 2, 1766. delegate of the Commissaire Ordonnateur, acting
Information Judge at the post of Natchitoches, in virtue of the
against Degout. order of the Superior Council of the province of
Louisiana, dated ninth of last November, on petition
of the Attorney General of the King to the Superior Council,
against one Michel Degout, incarcerated in the royal prisons in New
Orleans, which inquiry was conducted as follows:

January 2, 1766. Appeared before us Pierre Saurelle, called
Marty, blacksmith, residing at the post of
Natchitoches, aged about thirty-four years, who after having been
sworn to speak the truth, and that he is neither a relative nor servant
of the parties, and has appeared in response to notice given him by us;
Testifies on the facts mentioned in the complaint of the Attorney
General of the King, which was read to him, that he was not present

at the beginning of the dispute between said Degout and Crette; having arrived, he heard Degout say that he wanted to kill two or three and also a snotty official of justice, that he would escape anywhere on the Spanish side; that the next day the said Degout told him that he wished to make him earn a pistole without telling him how. Later on Dudoit sent Degout to Sr. Lemer's for a bottle of wine, and he came back without it, because Lemer would not give it to him without a note of said Degout. The latter gave him one, and he returned to the said Lemer and passed through a breach which he made by taking down two rails. The said Degout had a quarrel with Lemer. He afterwards came back to Crette's with whom he quarreled and then went to Pierre Darbanne's and returned with a sculpter's tool. On entering he saw Laplaine who was leaving and said to him: "What do you mean? Are you taking up for Crette and Lemer?" raising his hand as if he intended to stab said Laplaine. The witness and Sr. Darbanne cried out: "Wretch, what are you going to do?" and that stopped him. Afterwards Baptiste Lemoine tried to speak and Degout tried to do the same, but he took to his heels; he afterwards left but previously Cratte threw him down and said to him: "Wretch, you want to kill everybody in my house?" While Crette was holding him on a chest Baptiste Lemoine tried to wrest from him the chisel he held in his hand, but only the handle remained while the chisel fell unperceived behind the chest. Afterwards having gone to Sr. Darbanne's he called Cratte, and the witness said to the said Cratte "take a cudgel with you" and he answered: "Do you believe that I do not intend to act?" and at the same moment he saw Crette make a movement as if he was taking his dagger, without, however, having seen him take it; that Crette, nevertheless, hesitated to decide whether he would follow him or not; that having followed him, the witness a moment afterwards heard the Darbanne woman scream, and immediately witness ran out and found Crette returning and he said to him: "Are you wounded," but he did not answer, and, he, the witness, began to run after the said Degout whom he could not find;—which, he said, was all he has to say. After reading to him his testimony he declared that it is the truth and persisted therein and refused pay and signed. One word rejected on the other page noted and approved Delaplaine's name at his wish.

Signed: "Pierre Saurelle *alias* Marly."

Signed: "Pain." Signed: "Henry Gradrat," Clerk of Court.

January 2, 1766. Appeared before us Pierre Francois Dudoit, trainer of parroquets, residing in this post, aged about thirty-one years, who, after being sworn to tell the truth and that he is neither a relative, connection, attendant nor servant of the parties, returned to us his notice to appear served on him this day: Testifying on the facts mentioned in the complaint of the Attorney General of the King which was read to him, he declared that after having gone to a pleasure party at La Rochelle's the witness after dinner invited him to come and drink a pitcher of wine at his home; passing before Cratte's house he presented them a brandied pear in a glass; La Rochelle said to the witness: "You brought me here to drink a pitcher of wine, well, then, send for some." The witness asked the company which of them would be willing to go for the pitcher of wine at Sr. Lemer's. Degout offered and went; returning from Sr. Lemer's he told witness that Sr. Lemer would send nothing without a note from witness. He made one and Degout returned to Lemer's for the pitcher of wine, but came back without it, saying that Lemer would not give any, which is all he said. After having heard his testimony read to him he said that it was the truth and persisted in it and refused pay and signed.

Signed: "Dudoit."

Signed: "Pain." Signed: "Henry Gardrat, Greffier."

January 2, 1766. Appeared before us *Michel Bruniau*, so-called *La Rochelle*, residing in this post of Natchitoches, a merchant, aged twenty-eight years or thereabouts, who, after being sworn to tell the truth and that he is neither a relative, a connection, an attendant nor a servant of the parties, produced his notice to appear to testify on petition of the Attorney General of the King, to the Superior Council, on this day: Testifies on the fact mentioned in the complaint of the said Attorney General of the King which was read to him, that on the ninth of October last said Dudoit brought the witness to one Crette's whom he did not know; who wished him good evening and offered him a brandied pear which the wife of the said Crette put in a glass; that Sr. Turpin asked the witness if he would take supper with him, that he accepted the invitation and that they left with Francois. This testimony being read to him he declared and maintained that it was the truth, refused pay and declared that he did not know how to write, all of which is in accordance with the ordinance.

Signed: "Pain."

Signed: "Henry Gardrat, Clerk of the Council."

January 2, 1766. Also appeared before us Pierre Darbanne, farmer of Natchitoches, there residing, aged thirty-five years, who, after being sworn to tell the truth, and that he is neither a relative, nor a connection, attendant nor servant of the accused, produced the notice to appear served on him, on petition of the Attorney General of the King, to the Superior Council of the province of Louisiana, dated this day: Testifies on the fact mentioned in the complaint of the said Attorney General of the King, which was read to him, that on the ninth of last October he entered the house of one Cratte, the latter was in a dispute with Dudoit for wine, which one Degout had not been able to procure from Lemer. Cratte then said that they must send Degout back again. The latter said: "Believe me, leave it yonder, a misfortune will come of it;" whereupon Cratte got the bottle of wine, and as he entered threw the bottle of wine in the place saying: "See, here is the wine; go for another bottle," Degout left on the moment saying: "I am going" and passing before the hired man of Lannal, also named Laplaine and Lemoine, they said that Degout had not gone to Lemer's for the wine and that he had not asked for it; Degout said to Laplaine: "Do you want to meddle in it?" and Laplaine answered "Yes"; Degout immediately drew forth a weapon to stab him, but he could not tell what it was. Crette having then stopped him threw him on a chest. Crette having left him, Degout rose, and Lemoine who was outside of the house said to him: "Wretch, you use a weapon?" and Degout rushed at Lemoine to stab him. Lemoine took refuge at Monard's and Degout retired to the witness' house where he lodged. Crette followed him and a while after they heard cries and they ran, certain that Degout and Cratte were fighting, and in going to see they saw Cratte who was coming back with a bruised arm and they perceived that he was wounded and therefore he went to his house. He did not see Degout again. The witness then returned to Crette's and saw him expire, which was all that he knew, which testimony having been read to him, he said that it was the truth and so persisted, refused pay and declared that he did not know how to write nor sign, in accordance with the ordinance.

The witness added that the said Degout swearing and cursing, told one Marty that he would make him earn ten livres. The above read to him was said to contain the truth and he persisted in it and declared that he could not read nor sign in accordance with the ordinance.

Signed: "Pain."

Signed: "Henry Gardrat, Clerk of the Council. Entry."

January 2, 1766. Appeared before us, Marie Leclerc, wife of Pierre Darbanne, residing in this post, aged twenty-nine years or thereabouts, who, after being sworn to tell the truth, declared that she is neither a relative, a connection nor a servant of the parties, produced a notice of appearance served on her, on petition of the Attorney General of the King, dated as above: Testifies on the facts mentioned in the complaint of the Attorney General of the King to the Superior Council, which were read to her, that on the ninth of last October, being in her house folding clothes, Degout came in. She rose to go to him and the witness told him to tell her what he was searching for, that they might give it to him, and as she repeated it several times, which exasperated him, he raised his head and pretended to search in a package which was on a chest, and as the witness persisted in asking what he was searching for, he looked out of the window, and, seeing some one, cried out: "Who is there? Is it you, Pierre Darbanne?"—and having repeated it twice, Cratte, who was on the outside, leaning against the window, only half of his body being visible, answered: "It is I, Cratte." Degout, then extended his arm out of the window; without her seeing what he had in his hand and told Cratte: "Well, here's for you," and Cratte went back without saying anything else. The witness continues that Degout passed his arm between her and her negress, who was against the window, when he committed the deed, which, she said, was all that she knew; her testimony having been read to her, she said that it was the truth and so persisted, and has declared that she does not know how to read nor sign.

Signed: "H. Pain."

Signed: "Henry Gardrat, Clerk of the Council."

January 2, 1766. Also appeared Jeanne, negress belonging to Sr. Darbanne, residing in this post, aged thirty-two years, or thereabouts, who, after being sworn to tell the truth and that she is neither a relative, a connection, attendant nor servant of the accused, produced the notice of appearance served on her on petition of the Attorney General of the King to the Superior Council of the province of Louisiana of this date: Testifies on the facts mentioned in the complaint of the said Attorney General of the King, which was read to her, that on the ninth of last October one Degout entered the house of Sr. Darbanne, her master, that having entered he began searching for something and that Darbanne's wife asked him what he was looking for, and why he had come to her house, when he had been forbidden to come there; he answered that

he had come to search for something and that he was going to leave; more closely pressed by the Darbanne lady to say what he was looking for and that she would give it to him, the said Degout pretending to search in a package on a chest, raised his head and perceived some one at the window. He cried out twice: "Who is there? Is it you Pierre Darbanne? Cratte, who was leaning on the window which gives in the room, answered: "No, it is I, Cratte."—and on the moment Degout passed an arm between the witness and her mistress, who stood one on each side of the window folding clothes, saying: "Well, here's for you." Cratte fled without speaking, and immediately the witness and her mistress said: "What have you done, wretch?"—and Madame Darbanne swooned and Degout opened another window and left without a word, which, she said, was all she knew; her testimony having been read to her, she said it was true, and so persisted, and declared not to know how to write nor sign, all of which is in accordance with the ordinance.

Signed: "H. Pain."

Signed: "Henry Gardrat."

Whereupon, we, above mentioned Judge, considering the notorious absence of said Lemer and Laplaine, voyageurs, who have not their domicile in this post, have held them in default, and have ordered and do order that the said Marie Leclerc, wife of Darbanne, be re-examined on her testimony and confronted with the said Degout. To this end she will go to the city, so that the whole may be communicated to King's officers and reported to the Superior Council of the province of Louisiana;—for such further proceedings as may be necessary, conformably to the order of the ninth of last November.

Given in our office at Natchitoches, January second, one thousand seven hundred and sixty-six.

Signed: "Pain."

Pain (repeated) Signed: "Henry Gardrat."

SECOND HEARING

January 29, 1766.
Confronting of
Degout.

Confronting conducted by me, Charles Marin de Lalande Dappremont, Councillor, Commissary in this case, on petition of the Attorney General of the King, plaintiff and ac-

cuser, and armed with the order of Sr. Pain, acting Judge in the post of Natchitoches, against one Jean Degout, accused, detained in the prisons of this city, on the testimony of one Marie LeClerc, wife of

one Darbanne, who testified at the interrogation conducted by Sr. Pain, the second of the present month, in execution of the order of the Council issued on the ninth of last November,—to which confronting we have proceeded as follows:

January 29, 1766. There was brought before me by the jailer of the prisons, Jean Degout, accused, with whom we have confronted Marie Leclerc, wife of one Darbanne, sixth witness of the first investigation, and, after being sworn to tell the truth and challenged to say if they knew each other, after which the clerk of the Council read the first articles of the testimony of the said Marie Leclerc containing her name, age, quality and residence and her declaration that she is neither a relative, a connection, follower nor servant of the parties and then challenged the accused to furnish answers forthwith against the said witness if there were any, and if there were none, and in default of which, none would be accepted after the testimony and re-examination had been read to him, in accordance with the ordinance which we gave him to understand.

Signed: "Degout."

Signed: "Henry Gardrat, Clerk of the Council."

Signed: "Delalande."

Second, etc. The accused, as a reproach, said that the said lady was related to the deceased, that if it was not a disguised perjury, it was perjury from fright, that she was an impostor and that she has given false testimony against him, that he has no other reproaches to make and Marie Leclerc says that there is nothing more false than what is said by the accused.

This done we read to the said accused the remainder of the testimony, and the said lady reiterated that it contained nothing but truth and persisted therein, and the accused said that her deposition was entirely false, that when he had left Cratte's house to enter his own he had the tool in his hand which he was going to lay aside, but that the said Cratte followed him and that he had barely entered when the said Cratte came in and gave him a blow with his fist which threw him down, that this happened in the house where the said witness was folding clothes, who because of her work was unable to see, and the witness said that it was false, that Cratte had not entered the house, that he was only leaning against the window when the said Degout threw out his arm between her and her negress and gave a blow to the said Cratte, and the said Degout maintained that

it was in the house, that they must question the said negress and those who had carried away the said Cratte's body; that her testimony was suggested by her husband who was a miscreant; he insisted that she cried out all through it; "Stop it, do not fight in my house," and the third time when he took his tool from his chest the negress also cried to him to stop, and he, after having given the blow, answered that he had finished, and the witness maintained that all this was false, that Cratte had not entered her house and that she had not seen them fighting together, but had only seen Degout strike one single blow at Cratte, from the window, with a powerful tool, which she believes they afterwards found on the spot; which tool was on the moment presented to the accused by us. It was a sculptor's chisel and the said accused said that it might be his, but that he did not know if it was with a chisel or a gouge or another tool that he struck the blow, as he was carried away by his anger and thereby ignorant of what tool he had taken for the deed. Another smaller chisel was likewise presented to him, said to have been snatched from him at the beginning of his dispute with Cratte; he said that it was not taken from him, that he had carried it to his home, but that he had not used it in striking Cratte, because the said Cratte in giving him blows and in throwing him down had caused the tool to fall from his hand, that this is why, being thrown beside his chest, which was open, he took another tool with which he gave the blow, whilst the witness still maintained that Cratte had not entered the house, that he had not touched, nor beaten, nor struck him, but that the blow was dealt by Degout who was inside the house, from the window, against which the said Cratte was leaning.

And the said Degout maintained that all the witness' testimony was false, that her husband was a rascal who, when he saw him, asked him: "Why did you kill that man in my house? Why did you not kill him outside? You put me in trouble." The witness said that it was not true and added that the said Degout did not lodge in her house, but that they had given him the privilege of placing a bed on the porch, only for two or three days during which he was to remain there, which is all they said. After reading the present confrontation the parties each maintained that his testimony was the truth and persisted therein, and the said Degout signed, Marie Leclerc not being able to do so, all of which is in accordance with the ordinance.

Signed: "Degout."

Signed: "Delalande." Signed: "Garic, Clerk of the Council."

This done, we had the jailer bring the said Degout back to prison and caused to be replaced the irons on his feet and hands, and have ordered and do order that the present confrontation be communicated to the Attorney General of the King, for his information and for such action as may be necessary.

Signed: "Delalande."

Signed: "Garic, Clerk of the Council."

First of

January 29, 1766.

**Re-examination of
Marie Leclerc,
Wife of Darbanne.**

In the year one thousand seven hundred and sixty-six, on the twenty-ninth of January, before me, Charles Marin de Lalande d'Appremont, Councillor commissary in this case, appeared the Attorney General of the King, plaintiff and accuser, who informed us that in execution of the order issued by Sieur Pain, sub-delegate and acting judge at Natchitoches, in virtue of the order of the Council of the ninth of last November, against one Jean Degout, accused, detained in the prisons of this city, to be re-examined in his deposition by summons of Langlois, sheriff of the said place the Attorney General represented to us having prosecuted in the said Superior Council to the said end, and who has requested us to proceed in the said re-examination

Whereupon we have acted in the name of the said Sieur, the Attorney General of the King, on this testimony and commanded and ordered that we proceed forthwith to the re-examination of the said Marie Darbanne, sixth witness heard in the investigation made before Sieur Pain at the said place of Natchitoches, in virtue of the said order after having sworn Marie Darbanne to tell the truth, we have caused to be read to her the testimony given by her in the said investigation, and after having heard it she declared it to be the truth without anything to add to it nor to omit and persisted therein. The present re-examination being read to her she also persisted in it and declared not to know how to sign, whereof inquiry and challenge was made in accordance with the ordinance. Done in the said criminal chamber, at New Orleans the above mentioned day, month and year, and before signing—

Add that she remembered that at the moment Degout committed the deed she lost consciousness and was ill.

Signed: "Delalande."

Signed: "Garic, Clerk of the Council."

February 1st.

**Interrogation of
one Degout.**

held in the prisons of this city:

February 1st, 1766. There was brought by the jailer of the prisons, the said Degout, accused, who after being sworn to tell the truth, was interrogated by us as follows:

Interrogated as to his age, profession and residence, he answered that his name Michel Degout, aged forty-seven, a native of Paris, parish of Our Lady of the King, his trade that of master sculptor.

Interrogated as to why he had come here, said that he came from the post of Natchitoches for having given a bad blow to a man named Cratte, of which he has since died, he had been told.

Interrogated as to what instrument he had used to kill Cratte, said that he had used one of his tools.

Interrogated if he recognized the two tools shown him, said that he recognized one of them; that he does not know if it was with a gouge or another tool that he dealt the blow.

Interrogated as to where Cratte was when he received the wound, said that it was in the house, that Cratte had pushed him away, and having wrested the tool from him, struck him several times with it until he took another one with which he struck him, that the women told them to stop, and then the negress and that he had answered the negress: "That is ended."

Interrogated if he had killed any others or if he had been apprehended by justice, said that he was the first and that he had never killed anyone, that twenty-two years ago he had been arrested at Leogane for having stolen three silver pieces, with another man, whilst drunk, for which he was whipped through the town and branded with a fleur de lys and banished.

Interrogated to tell the truth as to his having killed Cratte at the window, said that he had killed him in the house and that testimony to the contrary is false. And said that he knew nothing else. His interrogatory and his answers having been read to him, he said that they contained the truth, persisted therein and

Signed: "Degout."

Signed: "Foucault."

CRIMINAL SESSION

February 1st, 1766.
Condemnation of
Michel Degout.

Were present Mr. Aubry, Commandant of this colony, Knight of the Royal and Military Order of St. Louis; M. Foucault, acting as Ordonnateur and First Judge; de Lalande d'Appremont, Huchet de Kernion, de Launay, Councillors, and Messrs. Le Sassier, de la Chaise, de la Place, Councillors assessors.

The Attorney General of the King, plaintiff and accuser, against Michel Degout, sculptor, defendant and accused before the Superior Council, the investigation made at Natchitoches containing the testimony of four witnesses, the proces verbal of the visit made to the room of one Cratte, the transfer of procedure to the Superior Council, the interrogatory of said Degout, the imprisonment on the registers of the jail, the decree of the Council annulling the procedure at Natchitoches, and ordering that the investigation be recommenced testimony of the six witnesses, the certificate given to Madam Darbanne as having testified and been confronted with the accused; the re-examination, the confrontation of the twenty-ninth of last month, the interrogatory on the witness stand, the final conclusions of the Attorney General of the King, the report of M. de la Lande, Councillor and Criminal Judge in this case, the whole being seriously examined, the Council has declared and declares the said Michel Degout duly apprehended and convicted of several crimes, in reparation of which he has heretofore been flogged, branded with a fleur de lys, and banished from Leogane, has declared and declares him duly convicted of the premeditated murder, committed with a sculptor's chisel on the person of one Cratte, in reparation of which has condemned and condemns him to make honorable amends, barefooted, and gowned, a rope around his neck, holding in his hands a flaming wax torch weighing two pounds, to be led to the main entrance of the parochial church of this city, where he will be brought by the public executioner in a tumbril, with a poster bearing on it: "Murderer and assassin," front and back, and there, bareheaded and on his knees to declare that he wickedly, with premeditation, murdered the said Cratte, for which crime he is repentant and begs forgiveness of God, of the King and of justice; after which, in the same cart he is to be led by the same public executioner to the public square of this city, to have his arms, legs, thighs and back broken on a scaffold which, for this purpose, shall be erected on the said square, and he shall afterwards be placed on a wheel, to expire there with his face turned to Heaven until death ensues, his body to

be then borne to and exposed on the public road. Have declared and do declare moreover that all his goods and property be confiscated to His Majesty, or to those to whom they belong. Have ordered and do order that the present shall be read, published and posted in the customary places of this city, and collated copies sent to each post of the colony, there, to be likewise read and posted; the Attorney General of the King or his substitute is enjoined to enforce this execution and to notify the Court of it within a month.

Given in the Criminal Chamber of the Council, February first, one thousand seven hundred and sixty-six.

Signed: "Delalande," "Foucault," "Delachaise," "Aubry," "Huchet de Kernion," "Lasassier," "de Launay."

RETENTUM

The Court has decided that the said Degout will be strangled under the scaffold before receiving a blow. Decided the said day, month and year in the said Chamber.

Signed: "Foucault," "Delalande," "Delachaise," "Aubry," "Huchet de Kernion," "Delaunay," "Lesassier."

On this day, February first, one thousand seven hundred and sixty-six, at three o'clock of the afternoon, I, chief clerk of the Superior Council, do certify that the decree rendered on this day by the Council against one Degout was executed in its entirety, by the public executioner, and that the said Degout suffered it, as stated, at New Orleans on the above mentioned day and year. (Unsigned.)

Translator's Note.—The above lines appear on the margin of the foregoing sentence and were evidently written by another hand.

ORIGINAL TEXT.

FIRST HEARING

Pain.

2 Janvier 1766.

Information contre
Degout.

Information faite par Nous daniel Pain sub-délégué de Mr. l'ordonnateur faisant fonction de Juge au poste de Nachitoches en vertu de L'arrest du Conseil Supérieur de la province de la Louisianne En datte du Neuf Novembre dernier a la Requeste de Mr. le procureur Général du Roy, du conseil Supérieur contre le Nommé Michel Degout interne en prison Royalle a la Nouvelle Orléans . . . cela quelle Information aurions procédé ainsy quil Suit:

Du 2 Janvier 1766. Est comparu pierre Saurelle Dit Marty forgeron demeurant auposte des Nachitoches agé de trente quatre ans Environ lequel apres Serment par luy fait Dedire vérité et quil Nest ny parent Serviteur de partie Nous a Represente Exploit d'assignation a luy donnée de ce jour: Dépose Sur les faits mentionnés dans la plainte de Mr. le procureur Général du Roy de laquelle Luy a Eté fait lecture quil nestoit point présent au commencement de la dispute du nommé degout et Creste; Estant arrivé il a Entendu que degout disait quil en vouloit tué deux ou trois et que ausi un morveux de Robe de paire Apagnolle il se sauveroit partout, que le lendemain le dit degout luy dit quil vouloit luy faire gagner une pistolle sans luy dire avec quoy: Ensuite dudoit envoya degout chez le Sr. Lemer chercher une bouteille de vin, et il sen Revint sans Rien aporter, parce que Lemer ne voulut point luy donner sans un Billet dudit dudout, ce dernier luy En fit un et il Retouna chez le dit Lemer et passa par une Breche qu'il fit en ouvrant deux pieux, le dit degout eut dispute avec Lemer Ensuite il Revint chez Cratte avec lequel il se disputa avec luy et apres il sen fut chez pierre darbanne et Revient avec un outy de sculteur. En entrant il vit Laplaine qui partoit et il luy dit ques que tu veux dire Veut upprendre pour Crette et Limee En levant la main comme Sil Eut voulu poiniadé le de Laplaine le déposant Cria et le Sr. darbanne qualez vous faire malheureux cela L'arréta apres Baptiste lemoine voulut parlé le dit degout voulut luy en faire autant Mais il prit la fuite —ensuite il aparti et avant Cratte le prit et le Renversa parterre et luy dit Malheureux tu veux tué lemonde chez Moy: et le Sizeau quil avoit a la main Baptiste lemoine luy voulut oster et le manche luy resta dans la main au moment que Cratte le tenait sous luy Renversé sur un costé derriere lequel tomba le Sizeaux sans sen estre apercu Ensuite Etant allé chez Sr. Darbanne il appela Cratte et le déposant Dit au dit Cratte prend une trille et il luy Répondit Crois tu que je nay pas vu d'agire, et au mesme moment il vit Cratte qui fit comme sil prenoit sa dague Sans cependant l'avoir vue; que cependant Cratte chancela pour Scavoir Sil le Suiveroit, que layant Suivy un moment apres la femme de Darbanne a Crié que aussy tot le déposant a Couru qui a trouvé Cratte qui Sen Revenoit et il luy a dit tu est Blesse et il ne luy a point Répondu, et il Sest mis a courir apres le dit degout quil na pu trouver qui est tout ce quil a dit scavoir lecture a luy faite de sa déposition adit icelle Contenir vérité y persisté et na voulu Salaire et a Signé, (Rejeté un mot de lautre part étoy vu y desie et approuve le Nomme delaplaine de fait pout valoir.

pierre Saurelle *dy* Marly.

Pain. Henry Gardrat, Greffier.

2 Janvier 1766.

Est comparu led Pierre francois dudoit
Instructeur de perruches demeurant en ce
post agé de trente un ans ou Environ lequel apres Serment par luy
fait de dire vérité et quil nest ny parent ny allié, Serviteur domestique
des partis, Nous a Représenté Lexploit d'assignation a luy donnée
ce jour: Dépose Sur le fait mentionnée est appelé de M. leprocureur
Général du Roy de laquelle luy a été fait lecture que apres avoir
fait une partie deplaisi chez La Rochelle il luy proposa apres diné de
venir Boire avex luy un pot de vin chez luy ayant passé
devant chez Cratte qui leur présenta une poire a l'Eau
de vie dans un verre; le nommé La Rochelle dit au déposant vous
mavez amené ici pour Boire un pot de vin. Envoyez en donc chercher;
le déposant demanda ay la Compagnie celuy qui vouloit aller chercher
le pot de vin chez le Sr. Lemer. Le Nommé deGout Soffrit et y fut
Revenant de chez le Sr. Lemer il dit au déposant que le Sr. Lemer
nenvoyoit Rien sans un Bon du déposant, illuy den fit un; et deGout
San Retouna chez Lemer pour chercher le pot de vin et il Sen Revint
sans Laporter en disant que le Sr. Lemer ne veut Rien donné: qui est
tout ce quil a dit apres lecture a luy faite de Sa déposition a dit icelle
contenir la vérite y a persisté et na voulu taxe et asigné

Dudoit.

Pain. Henry Gardrat, Greffier.

2 Janvier 1766.

Est comparu Michel Bruniau dit La Rochelle
demeurant en ce post de Nachitoches: Mar-
chand, agé de vingt huit ans ou Anviron lequel apres Serment par
luy fait de dire vérité et quil Nest ny parent allié Serviteur domestique
de partie Nous a Représenté Lexploit d'assignation a luy donne
pour déposer a la Requeste de M. leprocureur Général du Roy du
Conseil Supérieur de cejour: Dépose Sur le fait mentionné en la-
plainte de Mon dit Sieur leprocureur Général du Roy de laquelle
luy a été donné lecture que le neuf Octobre dernier le dit Dudoit
mena le déposant chez le nommé Cratte quil ne connoissoit pas; qui
luy souwita le bonsoir et luy offrit une poire a l'Eau de vie que la
femme du dit Cratte mit dans un verre que le S. turpin demanda au
déposant sil vouloit venir soupé avec luy et quil accepta et quils
partirent et plus nadit francois—lecture a luy faite de sa déposition a
dit icelle contenir vérite apres que lecture luy a été faite et y a persisté
et ne voulut Salaire et a déclare ne Scavoir Ecrire ny Signé de ce
Enquis Suivant Lorde.

Pain.

Henry Gardrat, Greff. Cons'l.

Du 2 Janvier 1766. Est aussy comparu Pierre Darbanne habitant de Nachitoches y demeurant agé de trente cinq ans, lequel apres Serment a luy fait de dire vérité, et quil nest ny parent allié Serviteur Domestique des partis Nous Représenté Lexploit d'assignation a luy donné a la Requeste de M. leprocureur Général du Roy du Conseil Supérieur de la province de la Louisianne; en datte de ce jour: Dépose sur le fait mentionné en la plainte de Mondit Sieur le procureur Général du Roy de la quelle luy a été donné lecture que le Neuf Octobre Dernier, il Entra chez le nommé Cratte ce dernier Etoit endifferent avec dudoit pour du vin que le nommé Dugout navoit pu avoir de chez Lemere, en suite Cratte dit quil falloit Renvoyer degout ce dernier dit Croyez moy: Laissez cela la bas il arrivera un malheur: ladessus Cratte a été chercher la bouteille de vin, et En Entrant Cratte a jetté la Bouteille de vin dans la place en disant tien voila du vin, va Encherché une autre, tout desuite degout a party en disant je men y vas et étant devant les angages de Lannal aussy nommé laplaine et lemoine ces derniers dirent que degout navoit point été chercher le vin chez Lemere et quil ne lavoit pas demandé, degout dit a Laplaine tu enveux prendre les interets: Laplaine a Répondu que oui Sur le chant degout a tiré une arme sans savoir ceque est pour le poiniarder; Ensuite Cratte layant arrété La Renversé sur un Coffre, Cratte Layant laissé degout cet Relevé et Lemoine luy a dit qui Estoit dehors de la maison comment malheureux vous vous servez dune arme de mesme ensuite degout a foncé sur lemoine pour lepoiniarder, lemoine sest sauvé chez Monard et degout cet retiré chez le deposant ou il logoit Cratte ce la suivi et un moment apres ils ont entendu Crié et ils ont Couru contant que degout et Cratte se battoient et en allant Voir ils ont vu Cratte qui Sen Revenoit qui avoit le bras froissé et quil sest apercu quil étoit Blessé et lors quil a été chez luy, il na plu vu degout ensuite il est retourne chez Cratte quil a vu qui expiroit qui tout ce quil a dit scavoir, lecture a luy faite de sa déposition a dit icelle contenir vérité y a persisté et na voulu Salaire et a déclare ne scavoir ny Ecrire ny Signé des Enquis Suivant L'ordonance; ajoute dessus le deposant que le nommé deGout en jurant et Blasphémant il dit a un nommé Marty quil luy feroit Gagner le lendemain dix Livres. Lecture a luy faite du présent a dit contenir vérité et y a persisté et a declaré ne scavoir ny Ecrire ny Signé Suivant Lordne.

Pain.

Henry Gardrat, Greff. no're.

Du 2 Janvier 1766. Est comparu Marie Leclerc femme de pierre darbanne demeurant en ce post agée de vingt neuf Ans ou Environ Laquelle apres Serment par elle fait de dire vérité a déclaré quelle nest ny parente alliée, domestique des partis Nous a Représenté les fait d'assignation a elle donnée a la Requeste de M. leprocureur Général du Roy en datte cydessus: Dépose Sur les faits mentionnés En la plainte de M. le procureur Général du Roy du Conseil Supérieur de laquelle luy a été fait lecture que le neuf octobre dernier estant chez Elle a plié du Linge degout a Entré Elle S'est Levée pour aller audevant de luy; la déposant luy dit—de luy dire ce quil cherchoit pour quon puisse luy donner et comme elle luy Répéta plusieurs fois ce qui le mit about et Leva La tete et faisant Semblant de Chercher dans un paquet quil avoit sur un Coffre et comme la déposante le pressoit pour luy demander ce quil cherchoit, il a Regardé a la fenetre et Voyant quelcun il a Crié qui est ce qui et La—A vous pierre darbanne, et ayant Répété deux fois: Cratte luy Répondit qui étoit endehors apuyé contre la fenestre donc la moitié du corps a peine paroissoit, cet moy Cratte, ensuite Degout en alongeant le Bras par la fenestre Sans Scavoir ce quil avoit dans lamain; il luy dit tien—voila pour toy, et Cratte Sant est Retourne Sans Rien dire; ajoute la déposante que le dit Degout a passé un Bras entre elle et Sa négresse qui étoient contre la fenestre lors qu'il fit le coup qui est tout ce qu'elle at dit scavoir; lecture a elle faite de sa déposition a dit icelle contenir la vérité; a persisté, et a déclaré ne scavoir Ecrire ny Signé

H. Pain.

Henry Gardrat, Greff. Consl.

Du 2 Janvier 1766. Est aussy comparu La nommé Jeanne Négresse appartenante au Sr. Darbanne demeurant en ce post agée de trente deux ans ou Environ Laquelle apres Serment par elle fait de dire Vérité et quelle nest ny parente aliée Suvante domestique de partie Nous a Représenté l'exploit d'assignation a Elle donnée a la Requeste de Mr. leprocureur Général du Roy au Conseil Supérieur de la province de la Louisianne de cejour. Dépose sur les faits mentionnés dans la plainte de Mondit Sieur Procureur Général du Roy de laquelle luy a été faite Lecture que le neuf octobre Dernier le Nomme Degoust Entra chez le Sr. Darbanne Son Maitre, questant Entré il se mit a chercher quel que chose que la femme de Darbanne luy demanda ce quil cherchoit et d'ouvient En ce qu'il Etoit venu chez Elle que lon luy avoit deffendu dy venir il luy Répondit qu'il venoit chercher quel que chose et quil alloit sen aller, que pressé par la Dame Darbanne de luy dire ce quil cher-

choit et qu'elle luy donneroit, Ledit Degoust feignant de chercher dans un paquet qui Etoit sur un Coffre, il leva la tête apercevant quelcun a la fenestre il Cria deux fois qui est ce qui est La, Est-ce vous Pierre D'arbanne. Cratte qui étoit apuye sur la fenestre qui donne en la Chambre Luy Répondit non cet moy Cratte, aussy tot degoust Passe un bras Entre la déposante et Sa maitresse qui étoient une de chaque costé de lad te fenestre aplié du Linge endisant tien Voila pour toy. Cratte Sen fut sans Rien dire et aussy tot la déposante et maitresse dise has que venez vous de faire malheureux et la dame Darbanne tomba sans connoissance et degoust ouvrit une autre fenestre et Sen fut Sans Rien dire qui est tout ce qu'elle a dit Scavoir, lecture a elle faite de sa déposition adit icelle contenir Vérité y a persiste et a déclaré ne scavoir Ecrire ny Signé et ce Enquis Suivant L'ordannance.

H. Pain.

Henry Gardrat.

Surquoy Nous Juge Sus dit Vu Labsance notoire des nommés Lemee et Laplaine Voyageur qui ne font point leur domicile en ce post avons donné deffaut contre eux Et avons ordonné et ordonnons que lanommee Marie Leclerc femme de Darbanne Sera Recolée en Sa déposition et confronte au dit degout que pour cet effet se transportera en ville, pour estre le tout communiqué a Mssrs. les Gens du Roy. Et Raporté au Conseil Supérieur de la province de la Louisianne pour estre ordonné ce qu'il appartiendra conformément a larret du neuf novembre dernier.

Donné en notre hotel aux Nachitoches le deux janvier Mil Sept cent soixante-six.

Pain.

Pain (repeated). Henry Gardrat.

SECOND HEARING

29 Janvier 1766.

**Confrontation de
Degout.**

Confrontation faite par Nous Charles Marin de Lalande Dappremont Conseiller, Commissaire en cette partie a La Requeste du procureur Général du Roy demandeur et accuzateur et investi de la sentance du Sr. pein faysant fonction de Juge au Lieu de Nachitoches Contre Le nommé Jean Degout accusé détenu es prisons de Cette ville sur le dire de la nommée marie Leclerc femme du nommé derbanne temoin qui en L'information faite par le dit Sieur pain, Le deux présent de ce mois en Exécution de Larret

du Conseil Rendu Le Neuf novembre dernier—a Laquelle Confrontation avons procédé ainsy quil suit.

Du-29 Janvier 1766. A été Emmené devant moy par le Geolier des prisons, Jean degout accuzé, auquel avons Confronté Marie Leclerc, femme au nommé darbanne sixieme témoin de la Pr. information et apres Serment par eux fait de Dire la Vérité et interpellés de dire sils Se Connoissent apres quoy nous avons fait faire Lecture par le Greffier du Conseil des premiers articles de La déposition de ladte Marie Leclerc Contenant Son nom age qualité et demeure et sa declaration quil nest parent allié serviteur ni domestique des parties et interpellé Laccuze de fournir presentement des Réponses Contre le dit témoin si aucuns il a, si non et a faute de le faire quil en sera plus Recu apres que Lecture Luy auroit été faite de la déposition et Récollement suivant Lordon-nance que luy avons donnés a Entendre.

Degout.

delalande.

Garic, Greffier.

Seconde, etc.

L'accuzé a dit pour reproches que ladte Dame étoit parente du defunkt si ce nétoit pas un fau déghisé mais bien un fau de p'eurds quelle étoit une fourbe et quelle as fait un faux temoignage Contre Luy qui na aucuns autres Reproches a Luy faire et Marie Leclerc dit quil ny a rien de plus faux que Ce dit Laccuzé.

Ce fais avons fait Lecture au dit accuzé du Restant de La déposition, et la dite Dame a soutenu icelle contenir vérité en tout et persisté, et Laccuzé a dit que sa déposition étoit Entierement fausse dans tout son Contenu que Lorsqu'il est sorti de ches Crate avec un outil quil avoit a la main pour entrer chez luy et poser son dit outil, le dit Crate La suivie et a peine fut il entré que le dit Crate entra et Luy allongea un coup depoin qui Le Renversa par terre, que Cetoit dans la maison ou étoit le dit temoin a plier du Linge qui a Cause de son occupation ne pouvoit point voir et Le temoin Luy a dit que Cela netoit pas vray que Cratte netoit point entre dans La Maison qu'il netoit que appuyé Sur La fenetre Lorsque le dit degout Lancea son bras entrelle et Sa nègresse et donna un coup au dit Cratte, et le dit degout a soutenu que. Cetoit dans La maison quil faloit demander a La nègresse et A ceux qui ont emporté Le Corps Du dit Cratte, que la déposition quelle feroit étoit sussité par son mary qui étoit un miserable Luy a soutenu quelle Crioit toujours

finissez donc ne vous battez pas chez moy et Ce pendant trois fois et La troisieme fois Lorsqu'il a pris son outil de son Coffre, et alors La négresse luy Ciant aussy de finir et Luy Répondit apres avoir donné Le Coup quil avoit fini et La témoin luy a soutenu que tout Cela étoit faux que Critte nétoit point entré chez elle, quelle ne Les avoit pas vu nullement battre ensemble mais seulement avoir vu Le dit degout frapper dun seul Coup a la fenestre le dit Critte et Ce avec un outil puissant Ce quelle Croit, qu on avoit trouvé a la place par terre, Lequel outil a Eté a Linstant par nous Représenté au dit accuzé estant une Cyeur de Sculpteur, et le dit accuzé a dit quil pouvoit bien se faire que cet outil fut a Luy mais quil ne scait pas si cest avec un Cizeau ou une Gouge ou autre outil avec Lequel il a donné Le Coup, La Colere lempoartant, et Lempechant de Scavoir quel outil il avoit pris pour Ce fait, a Luy pareillement Représenté Lautre outil ou plus petit Cizeau qui Luy fut arraché Lors du Commencement de sa dispute Chez Critte a dit que Cétoit Luy même mais quon ne Luy avoit pas arraché quil ne lavoit pas perdu de La Main et quil Lemporta chez Luy mais quil navoit pas voulu se servir de Cet outil pour donner le Coup a Crite parce que le dit Critte en Luy donnant des Coups et Layant Renvoyé Luy avoir fait tomber Loutil de la main Cest pour quoy étant renversé pres de son Coffre qui étoit ouvert il en prit en autre avec Lequel il donna Le Coup pendant que le témoin Luy a toujours Soutenu que Critte nétoit point entré ne Lavori point touché, ni battu ni frappé, mais que Le Coup fut donné par Degout qui étoit dedans la maison par la fenetre ou le dit Critte étoit appuyé:

Et le dit degout a soutenu que tout Ce qui étoit dépose par les témoins étoit faux, et son mary un coquin, qui Lors quil Le Voie il Luy dit pourquoi est ce que vous avez tué cet homme chez moy, et pourquoi ne Lavez vous pas tué dehors; vous me faites des mauvaises affaires. La déposante a dit Cela et un faux, adjoint que le dit degout ne Logeoit point dans sa Maison mais quon Luy avoit donné agrement de metre un Lit sous la gallerie seulement pendant deux ou trois jours quil devoit Rester: et plus n'ont, dit, Lecture a eux faite de La présenté Confrontation, ont dit Leurs dires chacun a son Egard, Contenir vérité y ont persisté, et a le dit degout Signé, Marie Leclerc nayant pu des Enquis Suivant Lordonnance.

Degout.

delalande.

Garic, Greff.

Ce fait avons fait ramener par le Geolier Ledit Degoust en prison et fait Remettre Les fers aux pieds et aux mains, et avons

ordonné et ordonnons que la présente Confrontation sera Communiqué au Procureur Général du Roy pour par Luy prendre avis et Requis ce quil appartiendra.

delalande.

Garic, Greff.

**premiere de
29 janvier 1766.
Recollement de
Marie Leclerc Fe
Derbanne.**

Subdélégué et faysant fonctions de Juge aux Nachitoches en Vertu de Larret du Conseil Rendu Le neuf novembre dernier Contre le nommé Jean Degout accuzé detenu es prisons de Cette Ville, pour estre Recollé en sa déposition par exploit de Langlois, huissier de police au dit Lieu, Lequel nous a Représenté, ayant deffendu du dit lieu aux dites fins et nous aurons Requis de procéder au dit Récollement. Sur quoy nous avons donné acte au nom du dit Sieur, Le procureur Général du Roy de ses dire et Requisitoire et ordonné quil sera par nous présentement procédé au Récollement de Ladte Marie Derbanne, et Sest mon dit Sr. Le procureur Général du Roy Retire. Et a Linstant est Comparu en la Chambre Criminelle de justice Marie Derbanne sixieme témoin ouiy en Linformation faite par le Sieur Pain au dit Lieu de Nachitoches en vertu di dut arret a Laquelle Marie Leclerc femme derbanne apres Serment par elle fait de Dire vérité avons fait faire Lecture de la déposition par elle faite en la dte information et apres Lavoir ouie a Dit quelle est véritable ny veur augmenter ni diminuer et quelle y persiste Lecture a été faite du present Récollement y a aussi persisté et a déclaré ne scavoir signer de ce Enquis et interpellies. Suivant Lordonnance, fait en Ladte Chambre Criminelle A la Nelle orleans Le Susdit Jour mois et an et avons Signé. ajoute quelle se Souvient que dans le moment que le dit Degout fie le Coup, elle perdit Connoissance et se trouva Mal delalande.

Garic, Greff.

**Ier Fevrier 1766.
Interrogatoire du
nomme Degout.**

Interrogatoire sur La sellette fait par Nous Denis Nicolas Foucault faisant fonctions de pr. Juge au Conseil Supérieur dans la dte province au nommé Michel Degout sculpteur accuzé détenu es prisons de Cette Ville:

Du Ier Fevrier 1766 a été Emmené par Le Geolier des prisons Le dit degout accuzé Lequel apres Serment par Luy preté de Dire vérité a été par Nous Interrogé ainsi quil ensuit.

Interrogé de son som, age qualite et demeure a dit sappeler Michel degout agé de quarante sept ans, natif de paris paroisse Notre Dame du bourg, Mtre Sculpteur de son métier.

Interrogé pourquoi il est venu icy, A dit quil est venu au fort de Nachitoches pour avoir donné un Coup mauvay a un nommé Crette dont on Luy a dit qu'il étoit mort.

Interrogé avec quel instrument il avoit tué Crette, A dit que cétoit avec un de ses outils.

Interrogé sil a Reconnu les deux outils a Luy Représenté, A dit qu'il na reconnu qu'un, quil ne scait pas si Cest avec une Gouge quil a Servi le Coup ou quel autre outil.

Interrogé ou étoit Crette Lorsquil a Recu le Coup, A dit que cétoit dans la Maison que Crette le Repoussa, et Luy ayant arraché Loutil Luy en donna plusieurs Coups, jusque ce quil prit un autre outil avec Lequel il frappa, que La femme Luy disoit de finir et ensuite la Négresse, et quil avoit Répondu a la négresse Cela est fini.

Interrogé sil a tué quelquautres et sil a été pris de justice, A dit que cétoit le premier et quil navoit tué personne et quil y a vingt deux ans quil avoit repris de justice a léogane pour étant pris de boisson avoir volé trois couverts dargent avec un autre, quil a été fouetté par la ville marqué dune fleur de Ly et bani.

Interrogé de dire la vérité sil navoit pas tué Crette a la fenetre, A dit que non quil la tué dans La maison et que la déposition contraire est fausse.

A plus n'a dit scavoir. Lecture a Luy faite de son interrogatoire a dit ses Reponses Contenir vérité y a persisté et apres Signer

Degout.

Foucault.

AUDIANCE CRIMINELLE

Ier Fevrier 1766.

**Ier Fevrier 1766
Condamnation de
Michel Degout.**

Ou Etoient Mr. Aubry, Commandant de cette colonie chevalier de L'ordre Royal militaire de St. Louis, M. Foucault, faisant fonction, dordonnateur, et de premier juge,— delalande dapremont, huchet de Kernion, de Launay conseillers et Mrs Lesassier de la Chaise, delaplace conseillers assesseurs.

**M. le procureur
General du Roy.**

Entre—Leprocureur Général du Roy demandeur et accusateur Contre Michel degout Sculpteur deffendeur et accusé Vu par le Conseil Supérieur, Linformation faite aux Nachitoches contenant la déposition de quatre témoins le proces verbal de visite de la chambre du nommé Cratte, le Renvoi de la procédure par devant le Conseil Supérieur, Linterrogatoire suby par le dit deGout, Lécrou sur les Registres de la Geolle, Larret du Conseil qui Casse la procédure faite aux Nachitoches, et ordonne quelle Sera Recommençé Linformation et déposition des six témoins, la signatture qui a été donnée a la dame derbanne pour estre Rentrée en sa déposition et Ensuite confrontee au dt accuse le Récollement et la confrontation du vingt neuf dernier de mon Interre sur la Selette les conclusions deffinitives, de Mr. le Pr. Général du Roy, le Raport de M. delalande, conseiller juge criminel en cette partie le tout Muerement Examiné Le Conseil a déclaré et déclare Le dit Michel degout duement atteint et convaincu de plusieurs forfaits pour Réparation desquels il a été cy devant fustigé de Verges, marqué d'une fleur de Lys et banni de Léogane, La déclaré et déclare duement atteint et convaincu de Meurtre de Guet apens commis avec un Cizeau de Sculpteur sur la personne du nommé Critte pour Réparation de quoy La Condamné et Condamné a faire amende honorable, pied nu en chemise la corde au col tenant un flambeau en ses mains une torche de cire ardente poids de deux livres au devant de la principale porte dentree de Leglise paroissiale de cette ville ou il sera mene et conduit par Lexécuteur de la haute justice dans un tombereau servant a enlever les immondices ayant un écriteau devant et derriere de meurtrier et assassin de Guet apens et La étant tete nue et a genoux il declarera que méchamment il a assassiné de guet apens le dit Critte dont il se repend et demande pardon a Dieu Roy et Justice apres quoy il sera mené dans le dit tombereau par le dit Exécuteur de la haute Justice Sur la place publique de cette ville pour y avoir les bras jambes cuisses et Reing Rompus viifs sur un échaffaut qui pour cet effet sera dressé sur la dte place et my ensuite Sur une Roue la face tournée vers le Ciel pour y expirer et jusqua ce que mort viene, pour ensuite son corps porté exposé sur le chemin ordinaire, a déclaré et déclare en outre ses biens acquis et Confisqués au profit de Sa Majesté ou de qui il appartiendra, a ordonné et ordonne que le présent écrit sera Lu public et affiché es Lieux ordinaires de Cette Ville et Copies Collationnées envoyées dans chaque poste de cette Colonie pour y estre pareillement Lu publié et affiché, enjoint au Procureur Général

du Roy ou son substitut tenir La main a Lexécution et den avertir
Le Cour au mois.

Donné en la Chambre Criminelle du Conseil Le premier fevrier
mil sept cent soixante six.

delalande. Delachaise. Foucault. Aubry. Huchet De Kern-
ion. Lesassier. De Launay.

RETENTUM

La Cour a arreté que le nommé degout sera étranglé avant de
Recevoir aucun Coup par dessous Lechaffeu. arreté le dit jour
mois et an en Ladte Chambre.

delalande. Foucault. Aubry. Delachaise. DeLaunay. Le-
sassier. Huchet De Kernion.

Aujourdhuy premier fevrier Mil sept cent Soixante six trois
heures de Relevee Nous Greffier en chef au conseil Supérieur Cer-
tifie que Larret du Conseil de ce jour Rendu contre le nommé degout
a été exécuté dans tous ses points et continu par lexécuteur de la
haute justice et que le dit degout la Suby ainsi quil et constate. A
la Nelle Orléans le jour et an cidessus.

Note du traducteur.—L'annotation cy-dessus parait en marge de
ce dernier document, d'une autre écriture.



CABILDO ARCHIVES

III

By Henry P. Dart

The First Succession Opened in Louisiana

The Sieur De Lauze was a Captain in the military service of the King of France, commanding a detached company of Marines stationed on Dauphine Island in 1717, during the Crozat regime. He died October 26th of that year and the record of his estate is one of the earliest papers in the archives of Louisiana in the custody of the Louisiana Historical Society.

The document presented herewith constitutes the entire record of the succession save a few vouchers or receipts for payments made to the creditors, and for the expenses, and another document showing a remittance to his sister in France for the remainder of the Estate.

This exceedingly interesting MSS. shows the summary method of procedure which characterized all the judicial proceedings in the period while Louisiana was a colony of France. It is valuable not only because it preserves the forms of procedure, but also on the economic side, showing as it does the personal belongings and household paraphernalia of an officer of the army, and the merchandise which evidently he was entitled to carry for commissary and perhaps for trading purposes.

On the legal side we find procedure very similar to that still followed in Louisiana; the ceremony of affixing and raising the seals on the effects of a decedent; the listing or inventory thereof, which it will be noticed does not carry a valuation or appraisement; and the manner of selling out the effects, under drum beat or public cry. The current values of the various articles obtained at this auction is of course a contribution on the economic side.

It will be noticed that nowhere in the record is the full name of the decedent given, though this must have been well known as there are inventoried three Commissions issued by the King showing his appointment as Lieutenant in the regiment of Chateauneuf, as Captain in the regiment of Moniel and another as half pay captain in the retinue of the regiment of Poitou. There is also a permission given to him to go to Louisiana whose date (June 29, 1716) indicates that he had not been here long before his death.

Another interesting feature is the speed with which his affairs were settled. He died October 26, 1717 at one o'clock in the morning; the seals were affixed the same day and a general or superficial memorandum made of the contents of his house; a keeper to the seals was appointed and the ceremony was adjourned probably to await the interment of the deceased owner. On October 29th the seals were raised and his will having been found, in which he named the Sieur Hubert (the Attorney General) his executor, the proceedings were suspended to advise Mr. Hubert thereof. He declined the appointment and thereupon and on the same day the inventory was made by the Captain of the Marine Detachment, Acting Major and also styled testamentary executor. There is nothing in the body of the proces verbal to show the names of the officials who carried through these proceedings but the instrument is signed, De Gauvrit, who is declared to be the Major and by Des Brosses, whose position is not stated. At the closing of the inventory a statement is made that the effects have been delivered to Sieur Jean Verchuers as Keeper thereof.

On November 13, 1717, at 8:00 o'clock in the morning an auction was held, as to which it is said "We had the drum beaten, the sale announced and cried through the town" announcing that "we were to proceed to the sale of the effects of the deceased and to this purpose we went to the said house in which the greater part of the inhabitants of Dauphine Island being assembled, we cried and put up for sale", etc. The sale occupied two days and produced 2577 livres, which the writer of the document decares he "remitteed to Monsieur de Gauvrit, Major and testamentary executor personally the above mentioned day and year."

It would appear from this that the sale was made by De Brosses who was probably an officer of the Superior Council.

The translation of this document was made by Mrs. H. H. Cruzat, with some assistance, but the bulk of the work was done by her.

Translation

In the year 1717 and the twenty-sixth day of the month of October on notice given to us, at one o'clock in the morning, that Sieur de Lauze, Captain of a detached company of Marines, had died, I Captain of the Marine detachment, acting major, immediately went to the house of Sieur de Lauze and sent for Sieur Jean Versune and Charles Peignon to be present at the affixing of the seals on the effects found under lock and key, indicated to us as belonging to the succession of the said deceased.

First we affixed two seals on a large chest, in the shape of a trunk and sealed it with two strips of paper with our arms on each end, viz: two below and two above.

Item—On a short trunk covered in calf skin we also affixed two seals and sealed it with two strips of paper with our arms at each end.

Item—On a chest of pine wood which the valet of Sieur de Lauze said belonged to him, and after full inquiry it was proven that the chest alone belonged to the said valet and all that was in it belonged to the deceased Sieur de Lauze; we affixed two seals and also sealed it with our arms at each end of two strips of paper.

Item—A liquor chest on which we affixed two seals and sealed it with our arms at each end of two strips of paper.

After the said affixing of our said seals, we proceeded to the description of the effects in evidence found in the said house.

First a bed without curtains, on which were found three cowhair mattresses, two sheets, a blue blanket, a calico counterpane.

Item—Six white wool blankets, viz: four new ones and two used ones.

Item—Seven casks, viz: four of flour and three of brandy.

Item—Two barrels, viz: one of lead and the other of gunpowder.

Item—Twelve large new axes.

Item—A barrel of sugar.

Item—A bolt of sail cloth, (toile de Melis) measuring twenty-five and a half ells.

Item—A used cloak of grey cloth.

Item—Two portmanteaus, viz: one white and the other greay,—old.

Item—A sack of Indian wheat.

Item—A copper pie mould.

Item—Two large copper boilers with mouths. Covers, viz: one new and the other having been used.

Item—Two small copper pots with mouths; Lids, viz: one new new and the other having been used.

Item—Two copper stew-pans, viz: one new and the other having been used.

Item—Two copper pot spoons, viz: one new and the other having been used.

Item—Two brass skimmers, viz: one new and the other having been used.

Item—Two new copper chafing pans.

Item—A new brass skillet.

Item—Four cotton scarfs, used.

Item—Two snuffers' stands with their snuffers, the whole new.

Item—A frying pan in use.

Item—A shovel and tongs, in use.

Item—A large and a small gridiron, viz: the large one being
new and the small one having been in use.

Item—A dripping pan, having been in use.

Item—A gun and a pair of pistols ornamented with brass.

The Whole
in Iron

This done we affixed a seal on the window facing the east and sealed it with our arms at each end of a strip of paper. On another window facing the south we affixed a seal and sealed it with our arms on each end of a strip of paper. On another window facing the west we affixed a seal and sealed it with our arms on each end of a strip of paper. After having duly made the above named witnesses acknowledge that the seals affixed were very well stamped and in good condition and there being no effects which we had not described we locked the door of the said house and affixed two seals to it, viz: one on the key hole and the other on the opening of the said door and sealed it with our arms on each end of two strips of paper, and left the said seals in the care of the said Jean Versune, witness, who voluntarily took charge of and promised to present them when required to do so, as representative of property and of justice and principally of our said seals whole and intact and has signed as also the above named witnesses.

The said year and twenty-ninth of October, in continuance of the present procedure we found it proper not to let the seals remain on the effects of the said deceased Sieur de Lauze. With that object we went to the said house of the said deceased Sieur de Lauze and called for the said Versune and Charles Paignon who were present at the affixing of the seals to verify if the said seals had not been tampered with.

First—after recognition of the two seals, viz: the one affixed on the key hole and the other on the opening of the door of the said house where resided the said deceased Sieur de Lauze, we raised them; after opening said house we recognized seal affixed on the window facing the east and after recognition of it raised it; we then recognized the seal affixed on the window facing the south; after opening this window we recognized another seal affixed on a window facing the west and after raising it proceeded to an inventory as follows:

The above mentioned year and the said day, twenty-ninth of October, at eight o'clock in the morning, in the presence of Sr. Bernard Divoz, Lieutenant of a company, and of Thomas de Serey, residents of Dauphine Island, after having made the witnesses who were present at the affixing of the seals recognize that those on the large chest in the shape of a trunk had not been tampered with, we opened it and found:

First—A statement of the debts and last wishes of the said deceased Sieur de Lauze and on reading it we found that it was the intention of the said deceased, and in fact that he begged M. Hubert, Councillor of the King in his Councils, and Intendant-Commissary of Louisiana, to kindly pay any debts contracted in France out of the proceeds of the effects found in his possession after his decease and that the remainder of what the sale brought be remitted to his sister. Seeing this we immediately went to the house of said Sieur Hubert to advise him of the intention of said deceased and to summon him to be present at the inventory we were to take of the property of the said deceased, which he refused to do, as well as to accept the charge of executing the said wish, whereupon we retired and went to continue the said inventory:

Item—One suit of blue camlet, with silver buttons, and a vest with a narrow silver border, in use.

Item—A suit of grey broadcloth with silver frogs and red cuffs, without a vest, worn.

Item—A scarlet suit with gold button holes, worn.

Item—A scarlet upper coat with silver buttons, having been used.

Item—A white uniform suit, white cuffs and brass buttons, having been in use.

Item—A scarlet vest with silver binding and button holes, and a large silver galloon, having been in use.

Item—A scarlet vest with gold button holes and edging, having been in use.

Item—A camlet vest lined with linen, having been in use.

Item—A pair of scarlet trousers, lined with leather.

Item—Another pair of grey cloth trousers lined with leather.

Item—A ticking waistcoat and trousers of the same ticking.

Item—Two new hats bound with silver lace.

Item—Another hat, having been used, bound with gold.

Item—Another new hat without a brim.

Item—Another hat bound with silver, having been in use.

Item—A Segovia cap, lined in black.

Item—A pair of new silk stockings, ash grey in color.

Item—Another pair of woolen stockings, moss color.

Item—Ten ells of scarlet.

Item—Four ells of red Maramet.

Item—Eight ells and a half of collar linen.

Item—Fourteen ells of Treilly linen.

Item—Eleven ells of huckaback suitable for towels.

Item—Seventeen shirts for trade, all new.

Item—Sixteen striped cotton handkerchiefs, new.

Item—Six packages of cotton.

Item—One package of white thread.

Item—Four lbs., two ounces of vermillion.

Item—Two gross of clasp knives.

Item—Sixteen dozen mirrors for trade.

Item—Six packages of combs for trade.

Item—Two dozen scissors, ornamented with yellow.

Item—One dozen scissors of medium size.

Item—Four lbs. of white glass beads.

Item—Two dozen vermillion boxes.

Item—One package of folly bells.

Item—One package of awls.

Item—One dozen knives with wooden handles.

Item—One package of fishing lines.

Item—Two packages of ramrods.

Item—One package of brass-wire rings. (laiton).

Item—Three dozen brass buttons mounted on wood, suitable for vests.

Item—The chest in which the said objects were found, and as there was nothing else therein that we had not inventoried, we returned them to the said chest and locked it, and as the hour of noon had arrived, we retired and have signed.

Continuing the present inventory at two o'clock in the afternoon of the said day, October twenty-ninth, we went to the house of the said deceased Sieur de Lauze to continue the present inventory; after the witnesses who were present at the affixing of the seals and verified the two seals affixed to the trunk and found them in good condition, we raised the seals, opened the trunk still in the presence of the above named witnesses, and we found:

First—A silver watch with its silver case.

Item—A seal and a silver ring tied together.

Item—A silver snuff box.

Item—Two silver spoons and two forks.

Item—A moss colored port-folio embroidered with silver in which was found a commission given to the deceased Sieur de Lauze as Lieutenant in the Regiment of Chateauneuf, Signed: Louis and paraphed.

Item—Another said commission as Captain granted to Sieur de Lauze the Regiment of Moniel, signed Louis, and lower by Voisin, which we paraphed No. 2, which is of date, July 26, 1710.

Item—A brevet granting permission to said deceased Sieur de Lauze to go to Louisiana, dated June 29, 1716, signed: "Louis" and lower down "Voysin," which we paraphed No. 4.

Item—A commission as half pay Captain, granted to Sieur de Lauze, to be in the retinue of the Regiment of Poitou, dated February 6th, 1714, signed: "Louis" and lower down "Voysin" and paraphed by us as No. 3.

Item—A note made in Sieur de Lauze's name by Sieur Poulous-sat, Lieutenant of the Regiment of Moniel, for the sum of one hundred and thirty livres, twelve cts. and six farthings, on date of February 7th, 1714, and paraphed by us No. 5.

All the said papers were returned to the port-folio.

Item—In a sock were found a double louis of gold, twenty-seven livres in gold, four cents in white silver, Spanish money, the double louis beaten and moneyed in France.

Item—An oval mirror of medium size with a fine glass.

Item—A book entitled: "The fortifications of Sr. de Ville."

Item—A pair of sheets having been used.

Item—Two other pairs of sheets having been used.

Item—Five napkins and a coarse tablecloth.

Item—Twenty-two napkins and four tablecloths of huckaback, having been used.

Item—Three napkins and a plain tablecloth, new.

Item—Ten night shirts having been used.

Item—Five fine new shirts.

Item—Ten worn fine shirts.

Item—Five fine shirts trimmed with lace, having been worn.

Item—Two ells of cambric.

Item—Two of lawn.

Item—Four muslin cravats trimmed with lace.

Item—Five plain muslin cravats.

Item—Three collar rounds, worn.

Item—Two calico handkerchiefs, having served.

Item—One window curtain of Cholet linen.

Item—Twelve pairs of socks and five pairs of stirrup stockings.

Item—Two pairs of glass tassels.

Item—One pair of iron grey stockings.

Item—One white woolen chemisette with needle work.

Item—One camlet dressing gown, worn.

Item—The said trunk in which were these effects; and as there was nothing in the said trunk that had not been inventoried, after returning these said items, we locked it, and went with the witnesses to recognize the seals affixed on the chest of pine wood, after recognition we raised these and proceeded to the opening of the said chest, in which we found:

First—A roll of tobacco.

Item—Three and one-fourth lbs. of pepper.

Item—A sugar grater of new tin.

Item—Four pairs of new shoes.

Item—A new tin coffee pot.

Item—Two new pepper mills.

Item—Eleven loaves of grey soap.

Item—A flask.

Item—A candle mould.

Item—Two and a half dozen of pewter plates, viz: one dozen new and the other dozen having been in use.

Item—Two large soup tureens.

Item—Two medium sized ones.

Item—Two large dishes.

Item—Two salt cellars and one for black pepper.

Item—Two spoons and two forks.

Item—Two small dishes.

Item—A lock with its garniture and its catch.

Item—Three goblets, a tumbler and a water pitcher of glass.

Item—A sack of gunpowder.

Nothing remaining in the chest that had not been inventoried we put the said effects back into it and locked it, and went to a liquor chest to have the witnesses who were present at the affixing of the seals recognize that the said seals of the said liquor chest had not been tampered with, and after recognition of them we raised them and having opened the said liquor chest we found in it nine decanters:

First—Four decanters filled with liquor.

Item—One of olive oil. Four other empty ones and we closed the said liquor chest.

Item—In the said house were found three cowhair mattresses.

Item—One blue ticking.

All of pewter

Item—One calico counterpane having been used.

Item—Six white woolen blankets, viz: four of them new and two having been used.

Item—Four quarters of flour.

Item—Three quarters of brandy.

Item—One barrel of powder of 100-lbs.

Item—One barrel of sugar weighing twenty-seven lbs.

Item—Twelve large new axes.

Item—One bolt of linen of Melis measuring twenty-five and a half ells.

Item—A whitish grey cloth which has been used.

Item—Two portmanteaus, viz: one blue and the other grey, both worn.

Item—A sack filled with Indian wheat.

Item—An enameled copper pie mould.

Item—Two large copper boilers, enameled inside, with their lids, viz: one new and the other having been used.

Item—Two small copper casseroles with their covers, enameled on the inside, viz: one new and the other having been used.

Item—Two brass skimmers, viz: one new and the other having been used.

Item—Two copper chafing pots, new.

Item—A new brass skillet.

Item—Four wire candlesticks, having been used.

Item—Two new snuffer holders with their snuffers.

Item—Two new brass pots.

Item—A frying pan.

Item—A shovel and tongs.

Item—A spit.

Item—Two vests.

Item—A dripping pan.

Item—A gun ornamented with brass.

Item—A pair of pistols also ornamented with brass.

Item—Three hats for trade.

After having sworn Tournageot, valet of the deceased Sieur de Lauze, he declared that he had no knowledge of any other furniture nor effects belonging to the succession of the said deceased besides those entered in the present inventory, the said inventory held as closed.

All the effects, titles and furniture we left in charge of Sr. Jean Verchuers who voluntarily accepted the responsibility and promised

to present them again when we would require him to do so, and has signed as well as the other above named witnesses.

The above year and the thirteenth day of November at eight o'clock in the morning, continuing the present procedure and to avoid the storing of the effects of the said deceased Sieur de Lauze, we have judged it advisable to sell the said effects to avoid heavier costs to the creditors and heirs of the said deceased, and for this reason we had the drum beaten, the sale announced and cried through the town that we were to proceed to the sale of the effects of the said deceased, and to this purpose we went to the said house, in which the greater part of the inhabitants of Dauphine Island being assembled we cried and put up for sale first:

Item—A blue camlet suit with silver buttons and a silver binding to the vest, which after having been cried and put up for sale went to Mr. DesBrosses as the last bidder for the sum of forty livres.....40#

Item—A grey broadcloth suit with red cuffs and silver frogs, and a scarlet vest with a silver binding and a large silver galloon and silver button holes, the whole after having been put up for sale went to Mr. Robert for the sum of sixty-three livres as the last bidder.....63#

Item—A scarlet suit with gold button holes and two pairs of trousers, viz: one red and the other grey, the whole having been put up for sale went to Mr. de Montigny for the sum of nine livres and fifteen cts as the last bidder.....9#15c

Item—A scarlet surcoat with silver buttons having been used which having been put up for sale went to Mr. Robert as the last bidder with a vest of red camlet for the sum of twenty livres.....20#

Item—A white uniform suit, blue cuffs, having been used, put up for sale went to Mr. St. Roch for the sum of twenty-four livres as the last bidder.....24#

Item—A scarlet vest bordered with gold, with gold button-holes, having been used, put up for sale went to Mr. Poirier for the sum of seventeen livres as the last bidder.....17#

Item—A vest of ticking with trousers of the same, having been used, put up for sale went to Mr. Roy for the sum of five livres fifteen sols as the last bidder.....5#15c

Item—A new hat bordered with silver lace, which, having been put up for sale, went to Mr. Brusle for the sum of ten livres as the last bidder.....10#

Item—Another new hat with silver lace, which, after having been put up for sale went to Mr. Le Baste for the sum of ten livres ten cts as the last bidder.....10#10c

Item—Another hat bordered with gold, having been used, which being put up for sale went to Mr. de Montigny for the sum of twelve livres as the last bidder 12#

Item—Another new hat without a brim which after having been put up for sale went to Mr. de Trefontaine for the sum of two livres as the last bidder 2#

Item—Another hat bordered with silver having been used, which put up for sale went to Mr. de la Croix for the sum of two livres ten cts as the last bidder 2#10c

Item—A new Segovia cap, lined with black, which after having been put up for sale went to Mr. Dartus, Commandant, for the sum of five livres fifteen cts as the last bidder 5#15c

Item—A pair of new silk stockings, of ash grey color, which having been put up for sale went to Mr. de Bienville for the sum of twenty-two livres as the last bidder 22#

Item—A new pair of woolen stockings, moss color, which having been put up for sale, went to Mr. Trudot, for the sum of six livres five cts as the last bidder 6#5c

Item—Ten ells of scarlet cloth which having been put at price remained in possession of Mr. Du Rand for the sum of fifty-five livres as the last bidder 55#

Item—Four ells of red Maramet having been put up for sale went to Mr. Le Roy for the sum of sixteen livres, fifteen cts as the last bidder 16#15c

Item—Eight and a half ells of collar linen, which after having been put up for sale went to Mr. de Bienville for the sum of thirteen livres as the last bidder 13#

Item—Fourteen ells of Treilly linen which after having been put up for sale went to Mr. Le Basts for the sum of 20# as the last bidder 20#

Item—Eleven ells of linen suitable for towels, which after having been put up for sale went to Mr. Le Basts for the sum of fifteen livres as the last bidder 15#

Item—Seventeen new shirts for trade, which after having been put up for sale went to Mr. Poirier for the sum of sixty-six livres ten cts as the last bidder 66#10c

Item—Sixteen new striped cotton handkerchiefs which after having been put up for sale went to Mr. Roger for the sum of twenty-eight livres as the last bidder 28#

Item—Six packages of cotton, which after having been put up for sale went to Mr. Sartus, Commandant, for the sum of seven livres five cts as the last bidder 7#5c

Item—One package of white thread, which after having been put up for sale went to Mr. Brusle for the sum of five cts as the last bidder..... 5c

Item—Four lbs. two ounces of vermillion, which after being put up for sale, went to Mr. Le Roy for the sum of twenty-five livres five cts as the last bidder..... 25#5c

Item—Two gross of clasp knives, which after being put up for sale, went to Mr. Poirier for the sum of nineteen livres ten cts as the last bidder..... 19#10c

Item—Six dozen mirrors for trade which after having been put up for sale went to Mr. de Vilainville for the sum of six livres ten cts as the last bidder..... 6#10c

Item—Six packages of combs for trade which being put up for sale went to Mr. de Vilainville for the sum of six livres ten cts as the last bidder..... 6#10c

Item—Three dozen scissors which being put up for sale went to Mr. Poirier for the sum of nine livres ten cts as the last bidder..... 9#10c

Item—Four lbs. of white glass beads which after being put up for sale went to Mr. Le Roy as the last bidder for the sum of..... 20#15c

Item—Two dozen vermillion boxes, which being put up for sale, went to Mr. de Vilainville for the sum of three livres fifteen cts as the last bidder..... 3#15c

Item—One package of awls and thimbles, which being put up for sale went to Mr. de Vilainville as well as the brass wire rings for the sum of two livres, ten cts as the last bidder..... 2#10c

Item—A package of folly bells which being put up for sale went to Mr. Lafontaine for the sum of one livre ten cts as the last bidder..... 1#10c

Item—Two dozen wooden handled knives, which having been put up for sale, went to one Lafontaine as the last bidder for..... 2#

Item—Two packages of ramrods which being put up for sale went to Mr. Robert for the sum of two livres as the last bidder..... 2#

Item—Three dozen brass buttons mounted on wood for vests, which being put up for sale, went to Mr. Montigny for the sum of two livres five cts as the last bidder..... 2#5c

Item—A chest in the shape of a trunk which being put for sale, went to Mr. de Vilainville for the sum of twenty-one livres five cts as the last bidder..... 21#5c

and as the hour of noon intervened we retired and put off the present sale to this afternoon and left the whole in charge of the aforesigned Sieur Verstune.

Continuing the present procedure at two o'clock in the afternoon, we went to the house of the deceased Sieur de Lauze, in which

there being a great number of the inhabitants of Dauphine Island, we cried and put up for sale a silver watch with its case, which after being put up for sale went to Mr. de Chateaugue for the sum of seventy-two livres as the last bidder..... 72#

Item—A silver seal and ring, which being put up for sale went to Mr. de la Pointe for the sum of eight livres five cts as the last bidder..... 8#5c

Item—A silver snuff box which after being put up for sale went to Mr. Roger for the sum of thirty livres as the last bidder..... 30#

Item—Two silver spoons and forks which being put up for sale went to Mr. Lafontaine, as the last bidder, for the sum of forty livres fifteen cts, here..... 40#15c

Item—A mirror with a fine glass, of medium size, which after having been put up for sale went to Mr. de Chateaugue, for the sum of five livres as the last bidder, here..... 5#

Item—A book entitled "The Fortifications of Sieur de Ville," which having been put up for sale went to Mr. Le Maire for the sum of three livres as the last bidder, here..... 3#

Item—A pair of sheets, having been used, which being put up for sale went to Mr. Bajot for the sum of eight livres five cts as the last bidder, here..... 8#5c

Item—Another pair of sheets which, being put up for sale, went to Mr. de Montigny for the sum of thirteen livres, here..... 13#

Item—Five coarse towels and a tablecloth of the same, the whole having been put up for sale went to Mr. Bouchard for the sum of five livres as the last bidder..... 5#

Item—One dozen of huckaback napkins and a tablecloth of the same, which being put up for sale went to Mr. Montigny for the sum of twenty-two livres ten cts as the last bidder..... 22#10c

Item—Ten huckaback napkins and two tablecloths of the same, which being put up for sale went to Mr. La Pointe for the sum of eighteen livres fifteen cts as the last bidder..... 18#15c

Item—Three napkins and a plain tablecloth which being put up for sale went to Mr. de Vilainville for five livres as the last bidder..... 5#

Item—Ten night shirts, having been used, which being put up for sale, went to one Lafontaine for the sum of thirty livres five cts as the last bidder..... 30#5c

Item—Five new shirts, which being put up for sale went to Mr. Roger for the sum of fifty livres as the last bidder..... 50#

Item—Six fine shirts (worn) which being put up for sale went to Mr. Fabus for the sum of nineteen livres five cts as the last bidder..... 19#5c

Item—Four fine shirts which being put up for sale went to Mr. Girardeau for the sum of fifteen livres as the last bidder..... 15#

Item—Six fine shirts trimmed with lace, which being put up for sale went to Mr. Poirat as the last bidder for..... 55#

Item—Two other cotton cambric shirts and two of linen lawn, which being put up for sale went to Mr. La Pointe for the sum of sixteen livres five cts as the last bidder..... 16#5c

Item—Four cravats with lace, which being put up for sale, went to Mr. Poirier, for the sum of twenty-one livres ten cts as the last bidder..... 21#10c

Item—Four cravats with lace which being put up for sale, went with two pairs of tassels to Mr. Poirier for the sum of twenty-one livres ten cts as the last bidder..... 21#10c

Item—Five muslin cravats, measuring three rounds of the collar, being put up for sale went to Mr. Diron for the sum of thirteen livres five cts as the last bidder..... 13#5c

Item—Two worn calico handkerchiefs which being put up for sale went to Mr. Girardeau for the sum of one livre fifteen cts as the last bidder..... 1#15c

Item—One cotton curtain which being put up for sale went to Madam Jolicoeur for the sum of five livres as the last bidder..... 5#

Item—Five pairs of socks and twelve pairs of short trousers, which having been put up for sale went to Lafontaine for the sum of two livres fifteen cts as the last bidder..... 2#15c

Item—One pair of grey stockings, which being put up for sale went to Mr. Des Brosses for the sum of five livres, five cts as the last bidder..... 5#5c

Item—One knitted woolen chemisette, which having been put up for sale, went to Mr. de Chateaugue, for the sum of five livres as the last bidder..... 5#

Item—One camlet dressing gown, which being put up for sale, went to Mr. Boullet for the sum of sixteen livres ten cts as the last bidder..... 16#10c

Item—A trunk in which were the said enumerated effects, which, having been put up for sale, went to Mr. de Chateaugue for the sum of sixteen livres as the last bidder..... 16#

And as the hour of six had arrived, we retired and put off the present sale to the next day.

Continuing the present procedure this day, fourth of November, at eight o'clock in the morning we went to the house of the said deceased Sieur de Lauze, where were assembled the greater number

of the the townsmen and having cried and put up for sale a roll of tobacco which went to one Lacroix for the sum of three livres five cts as the last bidder..... 3#5c

Item—Three and one-fourth lbs. of pepper, which being put up for sale, went to Mr. Lemese for the sum of nine livres fifteen cts, as the last bidder..... 9#15c

Item—A tin grater, which being put up for sale, went to Mr. Poirier, for the sum of one livre ten cts as the last bidder..... 1#10c

Item—Three pairs of new shoes, which being put up for sale, went to Mr. Du Rand for the sum of twelve livres fifteen cts as the last bidder..... 12#15c

Item—One pair of new shoes which being put up for sale went to Mr. Raguet for the sum of five livres eight cts as the last bidder..... 5#8c

Item—One tin coffee pot which being put up for sale went to Mr. Roger for the sum of four livres as the last bidder..... 4#

Item—A pepper mill, which being put up for sale, went to Mr. Lafontaine for the sum of four livres as the last bidder..... 4#

Item—Another pepper mill which being put up for sale went to Mr. de Montigny for the sum of two livres fifteen cts as the last bidder..... 2#15c

Item—One pair of grey wooden shoes, which being put up for sale, went to Mr. Trudot for the sum of thirty livres as the last bidder..... 30#

Item—A mask and candle mould, which being put up for sale, went to Mr. de Montigny for the sum of thirteen livres five cts as the last bidder..... 13#5c

Item—One dozen new plates, which being put up for sale went to Mr. Robert for the sum of twenty-two livres as the last bidder..... 22#

Item—One dozen and a half of plates which being put up for sale went to Mr. Dastur for the sum of twenty-five livres as the last bidder..... 25#

Item—Two large soup tureens which being put up for sale went to Mr. Robert for the sum of eight livres five cts as the last bidder..... 8#5c

Item—Two dishes of medium size, which being put up for sale, went to the Company for the sum of six livres as the last bidder..... 6#

Item—Five dishes of different kinds which being put up for sale went to Mr. de Montigny for the sum of nine livres ten cts as the last bidder..... 9#10c

Item—Two salt cellars, two spoons and two forks, which being put up for sale went to Mr. Diron for the sum of five livres as the last bidder..... 5#

Item—A spice box, which having been put up for sale went to Mr. Poirier for the sum of four livres ten cts as the last bidder.....4#10c

Item—Three goblets, a glass, a water pitcher, the whole in glass, which being put up for sale, went to Mr. Montigny for the sum of one livre ten cts as the last bidder.....1#10c

Item—One lock with its accompanying hinges for windows, which being put up for sale went to Mr. de Villainville for the sum of eight livres ten cts as the last bidder.....8#10c

Item—A sack of flint stones for guns, which being put up for sale, went to Mr. Trefontaine for the sum of three livres as the last bidder.....3#

Item—The chest in which was contained all the above named effects and which the Sieur de Lauze's valet claimed as his, we remitted to him after having taken sufficient information.

Item—A liquor chest with nine decanters, which being put up for sale went to Mr. Lebastor for the sum of thirty livres fifteen cts as the last bidder.....30#15c

Item—A cowhair mattress, which having been put up for sale went to Mr. Trefontaine for the sum of twenty livres as the last bidder.....20#

Item—Another said mattress, which having been put up for sale went to Mr. Robert for the sum of twelve livres, five cts, as the last bidder.....12#5c

Item—Another said mattress, which having been put up for sale went to Mr. Brusle for the sum of twelve livres ten cts as the last bidder.....12#10c

Item—A blue woolen coverlet which being put up for sale went to Mr. de Trefontaine for the sum of eighteen livres as the last bidder.....18#

Item—A calico counterpane, which being put up for sale went to Mr. de Montigny for the sum of twenty-five livres, ten cts as the last bidder.....25#10c

Item—A blanket, having been used, having been put up for sale, went to Mr. de Chateaigue for the sum of seven livres ten cts as the last bidder.....7#10c

Item—Another said blanket of white wool, which being put up for sale went to Mr. Boullet for the sum of ten livres as the last bidder.....10#

Item—Two new blankets of white wool, which being put up for sale, went to Mr. de Trefontaine for the sum of thirty livres as the last bidder.....30#

Item—One quarter of flour which having been been put up for sale went to Mr. Thomas for the sum of fifty-three livres as the last bidder.....53#

Item—Another quarter of flour, which being put up for sale, went to Mr. de la Pointe, for the sum of fifty three livres five cts, 53#5c

Item—Two quarters of flour, which after having been put up for sale went to the Company for the sum of one hundred and two livres as the last bidder.....102#

Item—One quarter of brandy, which being put up for sale, went to Mr. de Montigny, for the sum of one hundred and thirty livres, as the last bidder.....130#

Item—Another quarter of brandy, which being put up for sale, went to Mr. Robert for the sum of one hundred and twenty-two livres ten cts as the last bidder.....122#10c

Item—Another said quarter of brandy, which being put up for sale went to Mr. Des Brosses for the sum of one hundred and twenty-one livres and five cts as the last bidder.....121#5c

Item—One barrel of powder which being put up for sale went to Mr. Dartus for the sum of one hundred livres as the last bidder.....100#

Item—One barrel of lead, which being put up for sale went to Mr. Dartus, for the sum of fifty livres as the last bidder.....50#

Item—One barrel of sugar, which being put up for sale went to Mr. Boullet for the sum of sixteen livres and ten cts as the last bidder.....16#10c

Item—Twelve large axes which being put for sale went to Mr. Le Roy for the sum of twenty-six livres as the last bidder.....26#

Item—One bolt of sail cloth which being put up for sale went to Mr. Le Basts for the sum of twenty-six livres as the last biddder, 26#

Item—One grey broadcloth cloak, which being put up for sale went to Mr. Robert for the sum of sixteen livres five cts as the last bidder.....16#5c

Item—One blue portmanteau, which being put up for sale, went to Mr. Robert for the sum of six livres as the last bidder.....6#

Item—One old portmanteau, which being put up for sale went to Mr. Du Rand for the sum of fifteen cts as the last bidder.....15c

Item—One sack of India wheat, which after being put up for sale went to Mr. de Chateaugue for the sum of three livres as the last bidder.....3#

Item—The hour of noon having intervened we retired, putting off the continuation of this sale to this afternoon.

In continuation of the present procedure, this day, November fourth, in consequence of the postponement at two o'clock in the

afternoon we went to the house of the said deceased, where the greater number of the townsmen were assembled, to cry and put on sale:

First—An enameled copper pie mould which being put up for sale went to Mr. Le Bars for the sum of twenty-three livres as the last bidder..... 23#

Item—One large pot which having been put up for sale went to Mr. Robert for the sum of one livre ten cts as the last bidder..... 1#10c

Item—One said pot which having been put up for sale went to Mr. de la Pointe for the sum of twenty-one livres ten cts as the last bidder..... 21#10c

Item—One small copper casserole, which being put up for sale, went to Mr. Rougeon for the sum of 12 livres ten cts as the last bidder..... 12#10c

Item—One said casserole, which being put up for sale went to Mr. de Chateaugue for the sum of ten livres sixteen cts as the last bidder..... 12#16c

Item—One casserole, which being put up for sale went to Mr. Rougeon for the sum of seven livres as the last bidder..... 7#

Item—One casserole, which having been put up for sale, went to Mr. Lafontaine for the sum of five livres fifteen cts as the last bidder..... 5#15c

Item—Two skimmers and two pot spoons which being put up for sale went to Mr. Lafontaine for the sum of eight livres fifteen cts as the last bidder..... 8#15c

Item—One chafing pan, which being put up for sale, went to Mr. Le Barts for the sum of six livres as the last bidder..... 6#

Item—Another said chafing pan, which being put up for sale went to Mr. Lafontaine for the sum of four livres five cts as the last bidder..... 4#5c

Item—One brass sauce-pan, which being put up for sale, went to Mr. de Bienville for the sum of five livres as the last bidder..... 5#

Item—Two candlesticks of brass wire (lotton) with a snuffer holder and snuffers, the whole being put up for sale went to Mr. Lafontaine as the last bidder for the sum of 5 livres 15 cts..... 5#15c

Item—Two candlesticks with a snuffer holder, the whole being put up for sale went to Mr. de Trefontaine for the sum of five livres ten cts as the last bidder..... 5#10c

Item—One caldron, which having been put up for sale, went to Monsieur de la Vigne, for the sum of six livres five cts as the last bidder..... 6#5c

Item—Another said caldron, which after having been put up for sale went to Mr. Fabus for the sum of six livres five cts as the last bidder.....6#5c

Item—One frying-pan, which being put up for sale, went to Mr. Lafontaine for the sum of four livres ten cts as the last bidder.....4#15c

Item—A shovel and tongs, the whole being put up for sale went to Mr. Detstus for the sum of four livres ten cts as the last bidder.....4#10c

Item—One dripping-pan and a spit, which being put up for sale went to Mr. Lafontaine for the sum of seven livres fifteen cts as the last bidder.....7#15c

Item—One gridiron, which having been put up for sale went to Mr. de Trefontaine for the sum of six livres as the last bidder.....6#

Item—Another gridiron, which being put up for sale went to Mr. Lafontaine for the sum of three livres ten cts as the last bidder.....3#10c

Item—A gun ornamented with brass, which being put up for sale went to Mr. de Villainville as the last bidder for the sum.....40#5c

Item—A pair of pistols ornamented with brass, which being put up for sale went to Mr. de Chateaugue for the sum of twenty-five livres as the last bidder.....25#

Item—Three hats for trade, which being put up for sale went to Mr. de Villainville for the sum of Thirteen livres as the last bidder 13#

The proceeds of the sale of the said furniture, as well as of all the effects mentioned in the said inventory amounts to the sum of two thousand five hundred and seventy-seven livres which I remitted to Monsieur de Gauvrit, Major and testamentary executor, personally, the above day and year.

Signed: "De Gauvrit and Des Brosses" Paraphed.

Certified copy of the original given to Mr. de Gauvrit by me, Notary in this province of Louisiana, at New Orleans, July second, one thousand seven hundred and twenty.

Signed: "Rossard," Notary.

Received from Mr. de Gauvrit for the certified copy, four piastres.

**Inventaire de la Succession du Sieur de Lauze,
Le vingt-six octobre
mil sept cent dix-sept, fait a l'Isle Dauphine.**

Original Text.

L'an 1717 & Le Vingt Sixième Jour du mois d'octobre sur Lavis qui nous auroit Esté donne Sur les une heure du matin que le Sieur de Lauze Capitaine d'une Compagnie détachée de la Marine Estoit décédé Nous, Capitaine au détachement de la Marine faisant fonctions de Major serions transporté sur le Champ, dans la maison du Sr. de Lauze et aurions fait appeller le Sieur Jean Versune & Charles Peignon pour estre présens à Lapposition des Scellés sur les Choses trouvées fermées a clef à nous Indiquees appartenir à La Succession du dt deffunt.

Premièrement Nous avons apposé deux Cellés Sur un grand Coffre en forme de Malle & Cachetté de nos armes Sur Chaque bout de deux bandes de papier Scavoir deux en bas et deux en haut.

Item—Sur une malle courte dunne peau de veau nous avons aussy apposé deux Celles et Cachetté de nos armes sur chaque bout de deux bandes de papier.

Item—Sur un Coffre de Bois de Sapin que le Vallet du dt Sieur de Lauze nous a dit à Luy appartenir & que Lon a reconnu après une ample Information qu'il ny avoit que le dit Coffre qui appartenoit au dit vallet & que ce qu'il y avoit dedans Estoit au Deffunt Sieur de Lauzé Nous y avons appose deux celles Cachettés aussy de nos armes sur chaque bout de deux bandes de papier.

Item—dune Cannevette Sur La quelle Nous aurions apposé deux Scelles et Cachetté de Nos armes sur chaque bout de deux bandes de papier.

Après La quelle apposition de Nos dits Scellés nous avons procédé à la description des effets en Evidence trouves En Laditte Maison

Premièrement un Lit Sans Rideaux ou il sest trouve trois matelats de Bourre deux draps une Couverte Bleu & une Courte Pointe d'indienne.

Item—Six Couverte de Leyne Blanche Scavoir quatre Neufs & deux ayant Servuies.

Item—Sept quartos Scavoir quatre de farinne et trois deau de vie

Item—Deux Barils Scavoir un de Plomb & Lautre de poudre a tirer.

Item—douze Grandes haches Neuves.

Item—un Baril de Sucre.

Item—Une de Toille de Melly tirant vingt Cinq aulnes et demyes.

Item—un Manteau de Drap Gris ayant Servy.

Item—deux Porte Manteaux Scavoir Lun Blaf & Lautre Gries, vieux.

Item—un Sacq Rempty de Bled dinde.

Item—une Tourtiade de Cuivre Rouge.

Item—deux Grandes marmittes Cuivre Rouge avec Levres.

Couvercles Scavoir Lune Neuve & Lautre ayant Servy.

Item—deux Petites Marmittes Cuivre Rouge avec Levres.

Couvercles Scavoir unne Neuve et Lautre ayant Servy.

Item—deux Casserolles Cuivre Rouge Scavoir L'une Neuve & Lautre ayant Servy.

Item—deux Cuillieres a Pot Cuivre Rouge Scavoir L'une Neuve & Lautre ayant Servy.

Item—deux Ecumoiros Cuivre Jaune Scavoir L'une Neuve & Lautre ayant Servy.

Item—Deux Réchauds Cuivre Rouge Neufs.

Item—un Poillon Cuivre Jaune Neuf.

Item—quatre Chandellieres de cotton ayant Servy.

Item—Deux Porte Mouchettes avec leurs Mouchettes, Le tout Neuf.

Item—Une poille ayant Servy.

Item—unne Palle & unne pince, ayant Servy.

Item—Deux Griles un Grand & un Petit.

Item—Scavoir le Grand Neuf et Lautre ayant Servy.

Item—lechefrite ayant Servy.

Item—Un fusil et une paire de Pistolets garnis de cuivre Jaune.

Ce fait Nous aurions apposé un Cellé Sur unne fenetre ayant vue du Coste de L'Est et Cachetté de nos armes Sur Chaque bout de unne bande de papier.

Item—Sur une autre fenetre ayant vue du Coste du Sud nous aurions apposé Scellé et Cachetté de nos armes sur Chaque bout dunne bande de Papier.

Item—Sur une autre fenetre ayant vue sur le Coste de L ouest Nous aurions apposé un Scelle et Cachetté de nos armes sur chaque bout d'une bande de Papier.

Après avoir Deument fait reconnoitre aux Temoins Cy dessus Nommes que Les Scelles apposés estoient tres bien empreints & en bon estat & ny ayansaucuns effets que nous n'ayons descrit nous aurions fermé La Porte de la ditte Maison a Clef & y aurions apposé deux Scellés Scavoir L'un Sur Le trou de la Cerrure & Lautre Sur Louverture de la ditte Porte et Cachetté de Nos armes Sur Chaque

le tout de fer

bout de deux bandes de appier, Les quels dits Cellés nous ayons Laisse en la Garde du dit Jean Versune témoin, qui Sen est volontairement charge et promis de les representer, Lors que nous L'en requeront Comme Depositaire de Biens & de Justice & principalement nos dits Cellés Sains & Entiers & a Signé aincy que Le Temoins Cy dessus Nommé.

L'an Cy dessus & le vingt neufieme octobre En Continuant La présente procedure nous aurions jugé apropos de tenir les Cellés apposés Sur Les Effets du dit deffunt Sieur de Lauze pour Eviter Le Louage, plus grands fraits & la déposition des Meubles & Effets aux Creanciers & heritiers dudit deffunt Sieur de Lauze Nous Nous Sérions pour Cet Effet transporte en la ditte Maison dudit deffunt Sieur de Lauze & aurions fait appeller Les dits Versune & Charles Paignon qui Etoint présens à Lapposition des Cellés pour reconnoitre Sy les dits Scellés nauroient point este altérés.

Premierement apres La reconnaissance faitte des deux cellés Scavoir Lun appliqué Sur le Trou de la Cerrure & Lautre Sur Louverture dela porte de la ditte Maison ou demeuroit le dit deffunt sieur— Sieur de Lauze nous les aurions Levés après Louverture faitte de la ditte Maison nous aurions este faire Reconnoissance des Scellés appliqué Sur une fenette ayant vuedu Coste Lest apposé après Reconnoissance dicelluy nous Laurions Leve & Dela serions alle faire reconnoitre un Cellé apposé sur une fenestre ayant vue du coste du Sud apres Louverture dicelluy nous Laurions Levé et dela serions allé faire reconnoitre un autre Cellé apposé sur une fenestre ayant vue du Coste de Louest & apres la Reconnoissance Dy celluy Laurions Leve et ensuite Procédé à Linventaire Aincy quil Suit.

Lan Cy dessus & le dit jour vingt neufieme octobre sur les huit heures du matin en presence des Sieurs Bernard divoz Lieutenant dunne Compagnie & de Thomas de Serey habitans deLisle Dauphine apres avoir fait reconnoitre aux temoins qui etoient a Lapposition des Scelles que les deux Scelles qui estoient sur un Grand Coffre fait en forme de Malle navoient point este alteres nous en aurions fait Louverture & aurions Trouve.

Premierement Lestat des debtes & dernieres Volontés du dit deffunt Sr. de Lauze & par La Lecture que nous en aurions fait nous aurions veu que L'intention dudit deffunt estoit & mesme qu'il prioit Mr. Hubert Conseiller du Roy es Cen Conseils & Commissaire ordonnateur de la Louisianne de vouloir bien faire acquiter en France Sur Ces Effets quil trouveroit apres son décéder plusieurs debtes quil auroit Contractés en france & que Le Surplus des deniers provenans de la Vente quil feroit faire des dits Effets seroient remis a Mademoi-

selle Sa Soeur, Ce que voyans nous aurions Esté Sur le Champ dans la maison de Mondt Sieur Hubert pour luy donner avis de Lintention dudit defunkt & pour Le Sommer de Ce trouver a Linventaire que nous allions faire des effets appartenant audt defunkt a quoy il a fait refus de mesme que de Ce Charger de Lexecution de la ditte volonte Sur quoy nous nous serions retiré & aurions este Continuer le present Inventaire.

Item—un habit Bleut de Camelot avec des boutons dargent & sa veste avec un petit bordé dargent.

Item—un habit gris de drap avec des brandebourgs dargent & parmens Rouges Sans veste, usé.

Item—un habit descarlatte avec des boutonnieres d'or use.

Item—un surtout descarlatte avec des boutons dargent ayant Servy.

Item—un habit uniforme blanc parments bluf boutons de cuivre ayant Servy.

Item—une veste descarlatte avec un borde dargent & des boutonnieres & un grand Gallon dargent ayant Servy.

Item—unne veste descarlatte avec des boutonnieres et un borde dor ayant Servy.

Item—unne veste de Camelot Rouge double de Toille ayant Servy.

Item—unne paire de culotte descarlatte doublee de Peau.

Item—unne autre paire de culotte de drap Gris doublee de Peau.

Item—unne veste de Couety avec unne culotte de mesme Couety.

Item—Deux Chapeaux Neufs bordes d'une dantelle dargent.

Item—un autre d Chapeau ayant Servy Borde dor.

Item—un autre d Chapeau Sans bord Neuf.

Item—un autre d Chapeau Borde dargent ayant Servy.

un bonnet Sigovie doublée denoir.

Item—unne paire de bas de soyes Neufs Couleur de Gris de Cendre.

Item—dix aulnes descalattes, et.

Item—quatre aulnes de Maramet Rouge.

Item—huit aulnes et demie de toille de Cholet.

Item—quatorse aulnes de toille de treilly.

Item—onze aulnes de Toille ouvree propre pour faire des Serviettes.

Item—Dix Sept Chemises de traittes Le tout neuf.

Item—Seize mouchoirs de coton Reyées neufs.

Item—Six paquets de Coton.

Item—un paquet de fil Blanc.

Item—quatre livres deux onces de vermillion.
Item—deux Grosses de Couteaux a jambettes.
Item—Six douzaines de Miroirs pour La Traitte.
Item—Six paquets de Peignes pour La Traitte.
Item—deux douzaines de sizeaux Garnis de jaune.
Item—unne douzaine de sizeaux de moyenne Grandeur
Item—quatre livres de Rassade Blanche.
Item—deux douzaines de Bouestes a vermillion.
Item—un Paquet de Grelots.
Item—un paquet Dallaines.
Item—une douzaine de Couteaux a manche de Bois.
Item—un Paquet de Lines pour la pesche.
Item—deux pacquet de Tirrebourres.
Item—un pacquet de Bagues delollon.
Item—trois douzainne de Boutons de Cuivre montes sur bois propre pour une veste.

Item—Le Coffre outous les dits effets CeSont trouves dedans & Comme il ny en avoit plus aucuns que nussions Inventoriees nous les aurions Remis dans Les dits Coffre & Laurions Referme a clef & Comme Lheure de Midy Seroit Survenue nous nous Serions retire & a signe.

En Continuant La presente Inventaire Sur les deux heures apres midy du dit jour vingt neuf octobre nous nous serions transporte dans la maison du dit deffunt Sieur de Lauze pour Continuer Le present inventaire apres avoir fait reconnoitre aux temoins qui etoient presens a La position des Cellés que les deux Cellés qui etoient sur une Malle etoient en bon Estat les aurions levés et fait Louverture de la ditte Malle toujours en présence des temoins Cydessus nommés nous y aurions trouve.

Premièrement unn montre dargent avec sa bouëte dargent.

Item—un cachept et unne bague dargent attaché ensenble.

Item—unne tabaquière dargent.

Item—deux cuilliers & deux fourchettes dargent.

Item—un Porte feuille de drap Musse Borde dargent.

Dans Le quel il Cest trouve unne commition de lieutenant donne au deffunt Sr. de Lauze dans le Regiment de Chateauneuf signe Louis & paraphee.

Item—une autre de Commition de Capitaine accordee au Sr. de Lauze dans le régimens de Moniel Signée Louis & plus bas par voisins que nous avons paraphee No. 2, Laquelle est en datte du 26e juillet 1710.

Item—un Brevet portant permission audit deffunt Sr. de Lauze daller a La Louisianne endatte du 29e Juin 1716 Signee Louis & plus bas voisin que nous avons paraphés et No. 4.

Item—une Commition de Capitaine Réformé accorde au Sr. de Lauze pour Estre a la suite du Regiment de Poitou en datte du 6 fevrier 1714 Signee Louis & plus bas Voysin & de nous paraphee No. 3.

Item—un Billet fait au Profit du Sr. de Lauze par le Sr. poulous-sat souslieutenant du Regiment Monielle de la Somme de Cent trente livres douze sols six deniers en datte du 7 fevrier 1714 de nous paraphe No. 5.

tous Lesdits papiers nous avons remis dans le Porte feuille.

Item—il cest trouve dans un chosson un double Louis dor et vingt sept livres quatre sols en argent blanc monnoye Espagnolle le double Louis estant battu monnoye de france.

Item—un miroir fait en ovalle de Moyenne Grandeur avec une Glasse finne.

Item—un Livre Intitule 'Les fortifications du Sieur de Ville.'

Item—unne paire de draps ayant Servy.

Item—deux autres paires dedraps ayant Servy.

Item—Cinq Serviettes & unne Nappe Grosse.

Item—vingt duex Serviettes et quatre Nappes de toille ouvrée ayant Servy.

Item—trois Serviettes et unne nappe unie neuve.

Item—Cinq chemises neuves finnes.

Item—Dix Chemises fines Uzées.

Item—Cinq Chemises fines Garnis dedantelles ayant Este portées.

Item—deux aulnes de Toille de Cotton.

Item—deux de Toille de Cambray.

Item—quatre Cravattes de Mouslinne Garnie de dentelle.

Item—Cinq Cravattes de mouslinne Unies.

Item—trois tourds de Col Uses.

Item—deux mouchoirs dindienne ayant Servuy.

Item—un Rideau de fenestre de toille de Cholet.

Item—douze paires de Chossons & Cinq paires de Chosettes.

Item—deux paires de Glands de verre.

Item—unne paire de bas Gris de fer.

Item—unne Chemisette de Leyne Blanche travaillee a Leguille.

Item—unne Robe de Chambre de Camelot Use.

Item—Laditte Malle outous Les dits Effets estoient dedans & Comme Il ny avoit plus Rien dans la ditte Malle qui ne fust Inventorie

apres avoir remis dedans Les dits Effets nous Laurions Referme & dela Serions alle faire reconnoitre aux temoins qui etoient present alaposition des Scelles Sy les deux Scelles qui estoient apposes Sur un Coffre de Bois de Sapin nauroient point este alteres apres la reconnaissance Diceux nous les aurions Leve & apres Louverture dudit Coffre nous y avons trouve.

Premierelement unne endouille de Tabac.

Item—trois livres et un quart de Poivre.

Item—unne Rappe a Sucre de fert blanc neuve.

Item—quatre paires de Souliers Neufs.

Item—unne Caffetiere de fert blanc neuve.

Item—deux Moulins a Poivre Neufs.

Item—onze pains de Savon Gris.

Item—unflasque.

Item—un Moule de Chandelle.

Item—deux douzaines et demye dassiettes dettai Scavoir
unne douzaine neuve et lautre douzaine & demye ayant Servuy.

Item—deux Grands plats potagers.

Item—deux Moyens.

Item—trois plats.

Item—deux Salliere & unne Poivriere.

Item—deux Cuillers & deux fourchettes.

Item—deux petits plats.

Item—unne Serrure avec sa Garniture & ferrave pour des fenestres.

Item—trois Gobelets un Verre & pot a eau, Verre.

Item—un Sacq de poudre a fusil ny ayant plus rien dans le Coffre que nous nayons Inventorie nous aurions remis Les dits Effets dedans & Laurions Refferme & dela Serions alle a unne Canevette pour faire Reconnoistre aux Temoins qui estoient presens alaposition des Scelles Sy les dits Scelles de Ladittes Canevette baurions point Este altere & apres la Reconnoissance diceux nous les aurions Leve et apres avoir fait Louverture de laditte Canevette nous y avons trouve Neuf flacons.

Premierement quatre flacons remplis de Liqueurs.

Item—un Duille Dollive.

Item—quatre autre vide Laquelle quanevette nous avons referme.

Item—dans la ditte Maison il cest trouve trois Matelats de Bourre.

Item—une Couete bleuf.

Item—unne Courte pointe Dindienne ayant Servy.

Tous d'etain

Item—six Couvertes de Layne Blanche Scavoir quatre neuve et deux ayant Servy.

Item—quatre quarts de farrinne.

Item—tois quarts d'eau de vie.

Item—un baril de poudre de Cent Livres.

Item—un baril de Plomb de Cent livres.

Item—un baril de Sucre pesant boutte vingt sept livres.

Item—douze Grandes haches Neuves.

Item—une piece de Toille de Melly tirant vingt cinq aulnes & demie.

Item—un Manteau de drap Gris Blanc ayant Servy.

Item—deux Porte manteaux Scavoir Lun Bluf & Lautre Gris Les deux uses.

Item—un Sacq remply de Bled Dynde.

Item—unne Tourtive Cuivre Rouge Etamee au dedans.

Item—deux Grandes Marmittes Cuivre Rouge avec leurs Couvertures, Etamees pardedans Scavoir Lune neuve et Lautre ayant Servy.

Item—deux petites Marmittes cuivre Rouge avec leurs Couvercles, Etamees endedans Scavoir Lune Neuve et Lautre ayant Servy.

Item—deux Casseroles Cuivre Rouge Estamees au dedans Scavoir Lune Neuve et Lautre ayant Servy.

Item—deux Cuilleres a Pot Cyivre Rouge Scavoir Lune neuve & Lautre ayant Servy.

Item—deux Ecumoiros Cuivre jaune Scavoir Lune neuve et Lautre ayant Servy.

Item—deux Rechauds Cuivre Rouge Neufs.

Item—un poilon Cuivre jaune Neuf.

Item—quatre Chandelliers de Lotton ayant Servy.

Item—deux porte mouchettes avec leurs mouchettes neufues.

Item—deux Chaudrons cuivre jaune neufs.

Item—unne Poille.

Item—unne Paille et des Pinces.

Item—unne Broche.

Item—deux Gilets.

Item—unne Leche fritte.

Item—un fusil Garni de Cuivre jaune.

Item—unne Paire de Pistolets Garny aussy de Cuivre Jaune.

Item—trois Chapeaux de Traitte.

Apres le Serment que nous avons requis du Nomme Tourangeot Vallet dudit defunt Sieur de Lauze a Declare quil navoit point. Connoissance dautres Meubles Ny Effets de la Succession dudit

} Le tout de fer ayant servy.

deffunt que Ceux Contenus au present inventaire en Consequence
Ledt Inventaire tenu pour Clos.

Tous les Effets titres & Meubles nous avons laisse a la garde de
Sieur Jean Verchuers qui Sen est volontairement charge et promis
de les representer quant nous Len requerons et a signe aincy que les
autres temoins Cy-desssus Nommes.

Lan Cy dessus et le treizieme du mois de Novembre Sur les huit
heures Du Matin.

En Continuant la presente Procedure & pour & pour Eviter la
deposition des Effets dudit deffunt Sieur de Lauze nous avons juge
a propos de faire Vendre les dits Effets pour Eviter plus grand fraits
aux Creanciers et heritiers dudit deffunt & pour Cet effet nous avons
fait Battre, annoncer et Rappeller par la Ville que nous allions pro-
ceder a la Vente des Effets du dit deffunt & a Cette fin nous nous
Serions Transporte dans la Ditte Maison ou Estant & La plus Grande
partye des habitans de Lysle dauphine, nous aurions fait crier et
mettre en vente Premierement.

Un habit Bleuf de Camelot avec des boutons dargent et la veste
borde dargent Lequel apres avoir Este crie et mis en Vente auroit
reste a Mr. Des Brosses pour la somme de quarante Livres comme
dernier encherisseur Cy 40#

Item—un habit de drap gris permens rouges avec des Brande-
bourg dargent & unne veste escarlate Bordee dargent avec un
grand galand dargent et des boutonnieres dargent Le tout apres avoir
Este mis en Vente seroit reste a Mr. Robert pour la somme de Soix-
ante trois livres Comme dernier encherisseur Cy 63#

Item—un habit Ecarlatte avec des boutonnieres dor et deux
paires de culotte Scavoir Lune Rouge et lautre grise Le tout apres
avoir este mis en vente auroit Reste a Mr. de Montigny pour La
somme de Neuf livres quinze Sols Comme dernier encherisseur
Cy 9#15s

Item—un Surtout descarlatte avec de boutons dargent ayant
Servuy Lequel apres avoir este mis en Vente auroit Resté a Mr.
Robert Comme denier encherisseur avec une veste de Camelot
Rouge pour la Somme de vingt livres Cy 20#

Un habit uniforme Blanc permens bluf ayant Servuy Lequel
apres avoir este mis en vente auroit Reste a Mr. St. Roch pour la
somme de vingt quatre livres Comme dernier encherisseur Cy 24#

Item—unne Veste Escarlate Borde dor avec boutonniere dor
ayant Servuy Laquelle apres avoir este mis en vente auroit Reste a
Mr. Poirier pour la Somme de dix Sept livres Comme Dernier enche-
risseur Cy 17#

Unne veste de Couety avec unne Culotte de mesme ayant Servuy Laquelle apres avoir este mis en vente auroit Reste A Mr. Roy pour la Somme de Cinq livres quinze Sols Comme Dernier encherisseur Cy 5#15s

Un Chapeau Neuf borde avec unne dantelle dargent Lequel apres avoir este mis en Vente auroit Reste a Mr. Brusle pour la somme de dix livres Comme dernier encherisseur Cy 10#

Item—un aut Chapeau avec unne dantelle dargent neuf Lequel apres avoir Este mis en Vente auroit demeure a Mr. Le Basts pour la somme de dix livres dix sols Comme dernier encherisseur Cy 10#10s

Item—un autre Chapeau borde dor ayant Servuy Lequel apres avoir Este mis en Vente auroit Reste a Mr. de Montigny pour La Somme de douze Livres comme dernier encherisseur Cy 12#

Item—un autre Chapeau Neuf Sans bord Lequel apres avoir este mis en vente auroit Reste a Mr. de Trefontaine pour La Somme de deux livres Comme dernier encherisseur Cy 2#

Item—un autre Chapeau Borde dargent lequel ayant Servuy & apres avoir Este mis en vente auroit Reste a Mr. de la Croix pour la somme de deux livres dix sols Comme dernier encherisseur Cy 2#10s

Item—un bonnet de Sigovie double de Noir neuf Lequel apres avoir este mis en vente seroit reste a Mr. Dartus Commandant pour la Somme de Cinq livres quinze Sols Comme dernier encherisseur Cy 5#15s

Item—unne paire de bas de soye neufs gris de Cendre Laquelle ayant este mise en vente a reste a Mr. de Bienville pour la Somme de vingt deux livres Comme Dernier encherisseur Cy 22#

Item—unne paire de bas de Leyne neufes Musse Laquelle apres avoir este mise en vente auroit reste a Mr. Trudot pour La Somme de Six livres Cinq sols Comme Dernier encherisseur Cy 6#5s

Item—dix aulnes descarlatinne Lesquelles apres avoir este mise a prix auroit reste a Mr. Du Rand pour la Somme de Cinquabte Cinq Livres, Comme Dernier Encherisseur Cy 55#

Quatre aulnes Maramet Rouge Lesquelles apres avoir este mise en vente auroit Reste a Mr. Le Roy pour la Somme de seize quinze sols Comme dernier encherisseur Cy 16#15s

Item—huit aulnes & demye de Toille de Chollet Lesquelle apres avoir este mis en vente auroit reste a Mr. de Bienville pour la Somme de treize livres Comme dernier Encherisseur Cy 13#

Item—quatroze aulnes de Toille de Treilly Lesquelle apres avoir este mise en vente auroient reste a Mr. Le Basts pour la Somme de vingt livres Comme dernier encherisseur Cy 20#

Item—onze aulnes de Toille ouvree propre a faire des serviettes lesquelle apres avoir este mise en vente auroient reste a Mr. Le Basts pour la Somme de quinze livres Comme Dernier Encherisseur Cy 15#

Item—dix Sept Chemises neuve detraitte Lesquelles ayant este mise en vente auroient Reste a Mr. Poirier pour la Somme de soixante Six livres dix sols Comme Dernier Encherisseur Cy 66#10s

Item—seize Mouchoirs de Cotton neufs Reyes lesquelle apres avoir Este mise en vente auroient Reste a Mr. Roger pour la Somme de vingt huit livres Comme dernier Encherisseur Cy 28#

Item—six paquets de Cotton Lesquels apres avoir este mis en vente auroient Reste a Mr. Dartus Commandant pour la Somme de Sept Livres Cinq Sols Comme dernier Encherisseur Cy 7#5s

Item—un paquet de fil blanc apres avoir este mis en vente auroit Mr. Brusle Comme Dernier Encherisseur Cy 5s

Item—quatre livres deux onces de Vermillion Lequel apres avoir este mis en vente auroit reste a Mr. Le Roy pour la Somme de vingt Cinq livres dix sols Comme Dernier Encherisseur Cy 25#10s

Item—deux Grosses de Couteaux jeambettes Les quels apres avoir este mis a prix auroient Reste a Mr. Poirier pour la Somme 19#10s Comme dernier encherisseur Cy 19#10s

Item—Six Douzine de Miroirs pour la Traitte Les quels apres avoir este mis en vente auroient Reste a Mr. de Vilainville pour La Somme de Six Livres dix sols Comme Dernier Encherisseur Cy 6#10s

Six paquets de peignes pour Traitte apres avoir Este mis en vente auroit Reste a Mr. de Vilainville pour la Somme de Six Livres dix Sols Comme Dernier Encherisseur Cy 6#10s

Item—trois douzaine de Ciseaux Lesquels apres avoir a Este mis en vente auroit Reste a Mr. Poirier pour la Somme de Neuf livres dix Sols Comme Dernier Encherisseur Cy 9#10s

Item—quatre livres Rassade Blanche Laquelle apres avoir Este mise en vente auroient reste a Mr. Le Roy Comme dernier encherisseur pour la Somme de Cy 10#15s

Item—deux douzaine de bouetes a vermillion lesquelles apres avoir Este mis en vente auroient Restee a Mr. de Vilainville pour La Somme de trois livres quinze Comme Derniers Encherisseur Cy 3#15s

Un paquet dallaines & Dains Lesquels apres avoir Este mis en vente auroient Reste a Monsieur de Vilainville demesme que les bagues de Lotton pour La Somme de deux livres dix Sols Comme Dernier encherisseur Cy 2#10s

Item—Un paquet de grelots Lesquels apres avoir Este mis en vente auroient Reste a Lafontaine pour la Somme de unne Livre dix Sols Comme dernier encherisseur Cy 1#10s

Item—deux douzainne Couteaux Manche de Bois Lesquels apres avoir Este mis en Vente auroient reste au nomme Lafontaine Comme dernier encherisseur Cy 2#

Item—deux paquets tirebourre Lesquels apres avoir Este mis en Vente auroient reste a Mr. Robert pour La Somme de deux Livres Comme dernier Encherisseur Cy 2#

Item—trois douzaines de boutons de Cuivre montes sur bois pour veste Les quels apres avoir Este mis en vente auroient reste a Mr. Montigny pour La Somme de deux Livres Cinq Sols Comme dernier encherisseur Cy 2#15s

Item—un Coffre fait en forme de malle Lequel apres avoir Este mis en vente auroient reste a Mr. de Vilainville pour La Somme de vingt unne Livre quinze Sols Comme dernier encherisseur Cy 21#15s

& Comme Lheure de Midy Seroit Survenue nous nous Serions retire & aurions Renvoye La presente Vente a Cette apres dine & aurions Laisse Le tout en la Garde du Sieur Verstune Cy devant Nomme En Continuant La presente procedure Sur les deux heures apres midy Nous Serions transporte dans la maison du defunt Sieur de Lauze ou Estant & la plus grande partie des Bourgeois nous avons fait crier & mettre a prix unne montre dargent avec Sa bouete La quelle apres avoir este mis en vente auroit Reste a Monsieur de Chateaue pour la Somme de Soixante & douze Livres Comme dernier encherisseur Cy 72#

Item—un cachept & unne bague dargent Les quelle apres avoir Este mis en vente auroient Reste a Mr. La Pointe pour La Somme de huit Livres Cinq Sols Comme dernier encherisseur Cy 8#5s

Item—unne Tabaquiere dargent Laquelle apres avoir Este mise en vente auroit Restee a Mr. Roger pour La Somme de trante Livres dernier encherisseur Cy 30#

Item—deux cuilleres et deux fourchettes dargent Lesquels apres avoir Este misent en vente auroient restees a Mr. Lafontaine Comme dernier encherisseur pour la Somme de quarante qautre Livres & quinze Sols Cy 44#15s

Item—un Miroir avec unne Glace finne de Moyenne Grandeur Laquelle apres avoir Este mise en Vente auroit Reste a Mr. de Chateaugu pour La Somme de Cinq Livres Comme dernier encherisseur Cy 5#

Item—un Livre Intitule Les fortifications du Sieur de Ville Lequel apres avoir Este mis en Vente auroit Reste a Mr. Le Maire pour la Somme de trois Livres Comme Dernier encherisseur Cy 3#

Item—unne paire de draps de draps ayant servuis Lesquels apres avoir Este mis en Vente auroient Reste a Mr. de Bajot pour

La Somme de huit Livres Cinq Sols Comme Dernier Encherisseur
Cy 8#5s

Item—unne aud paire de draps Lesquels apres avoir Este mis en
Vente auroient Reste a Mr. Robert pour La Somme de douze Livres
10 Sols, Comme dernier encherisseur Cy 12#10s

Item—unne autre paire de draps Lesquels apres avoir Este mis
en Vente auroient Reste a Mr. Montigny pour la Somme de treize
Livres Comme dernier encherisseur Cy 13#

Item—Cinq grosses Serviettes et unne Nappe de Mesme le tout
apres avoir Este mis en vente auroit Reste a Mr. Bouchard pour La
Somme de Cinq Livres Comme dernier encherisseur Cy 5#

Item—unne douzaine de Serviettes de Toille ouvree avec deux
Nappes de Mesme Lesquels apres avoir Este mis en Vente auroient
reste a Monsieur de Montigny Pour La Somme de vingt deux Livres
10 Sols Comme dernier encherisseur Cy 22#10s

Item—dix Cerviettes ouvres et deux nappes de mesme Lesquels
apres avoir Este mis en Vente auroit reste a Mr. La Pointe pour La
Somme de dix huit Livres quinze Sols Comme dernier encherisseur
Cy 18#15s

Item—trois Serviettes & unne Nappe unie le tout apres avoir
Este mis en Vente auroit Reste a Mr. de Villainville pour La Somme
de Cinq Livres Comme dernier encherisseur 5#

Item—dix Chemises de Nuit ayant Servuy Lesquelles apres avoir
Este mis en Vente auroient Reste au Nomme Lafontaine pour la
Somme de trente livres Cinq Sols Comme dernier encherisseur
Cy 30#5s

Item—cinq Chemises neuve finne lesquelles apres avoir Este
mis en Vente auroient Reste ba Mr. Roger pour La Somme de cinq-
uante Livres Comme dernier encherisseur 50#

Item—six Chemises fine usees Lesquelles apres avoir Este mis en
Vente auroient Reste a Mr. fabus pour La Somme de dix neuf Livres
Cinq Sols Comme dernier encherisseur Cy 19#5s

Item—quatre Chemises fines Lesquelles apres avoir Este mis en
Vente auroient Reste a Mr. Girardeau pour La Somme de quinze
Livres Comme dernier encherisseur Cy 15#

Item—Six Chemises finnes Garnie de dentelles Lesquelles apres
avoir Este mis en Vente auroient reste a Mr. poira Comme dernier
encherisseur Cy 55#

Item—deux autres de Toille de Cotton et deux autres de Toille de
Baptiste lesquelles apres avoir Este mis en Vente auroient reste a
Mr. La Pointe pour La Somme de seize Livres Cinq Sols Comme
dernier encherisseur Cy 16#5s

Item—quatre Cravattes a dentelles lesquelles apres avoir Este mis en Vente auroient reste a Mr. Poirier pour La Somme de vingt unne livres dix Sols Comme dernier encherisseur Cy 21#10s

Item—quatre Carvattes a dentelles lesquelles apres avoir Este mis en Vente auroient reste avec deux paires de Glands a Mr. Poirier pour la Somme de vingt unne Livres dix Sols Comme dernier encherisseur Cy 21#10s

Item—cinq Cravattes de Mouslinnes a trois tours de Col, Lesquelles apres avoir Este mis en Vente auroient reste a Mr. Diron pour La Somme de treize Livres Cinq Sols Comme dernier encherisseur Cy 13#5s

Item—deux Mouchoirs dindienne uses Lesquels apres avoir Este mis en Vente auroient reste a Mr. Girardeau pour La Somme dunne livre quinze sols Comme dernier encherisseur Cy 1#15s

Item—un Rideau de Cotton Lequel apres avoir Este mis en vente auroit Reste a Made. Jollicoeur pour La Somme de Cinq Livres Comme ayant La derniere enchere Cy 5#

Item—cinq paires de Chaucettes & douze paires de Chausses. Lesquels apres avoir Este mis en Vente auroient reste a Lafontaine pour La Somme de deux Livres quinze Sols Comme dernier encherisseur Cy 2#15s

Item—unne paire de Bas Gris de fer Lesquels apres avoir Este mis en Vente auroient reste a Mr. Des Brosses pour La Somme de Cinq Livres Cinq Sols Comme dernier encherisseur Cy 5#5s

Item—unne Chemisette de Leinne faite a la Broche Laquelle apres avoir Este mis en Vente auroit reste a Mr. de Chateaugue pour La Somme de Cinq Livres Comme dernier encherisseur Cy 5#

Item—unne Robe de Chambre de Camelot Laquelle apres avoir a Este mise en Vente auroit Reste a Mr. Boulet pour La Somme de seize livres dix sols Comme dernier encherisseur Cy 16#10s

Item—unne Malle ou tous les dits Effets Cy dessus Enonces Etoient de dans Laquelle apres avoir Este mise en Vente auroit Reste a Mr. de Chateaugue pour la Somme de seize Livres Comme dernier encherisseur Cy 16#

& Comme Lheure de Six heures estoit Survenue nous nous Serions Retires & aurions Renvoye La presente au lendemain En Continuant la presente Procedure Ce jourdhuy quatrieme Novembre Sur les huit heures du Matin nous nous serions Transporte dans la maison dudit defunt Sieur de Lauze & La plus grande partie des Bourgeois assembles nous aurions fait Crier et mettre en Vente unne endouille de tabac Laquelle apres avoir Este Crie auroit Reste au

Nomme Lacroix pour la somme de Trois livres cinq Sols Comme dernier encherisseur Cy 3#5s

Item—Trois livres et un quart de poivre Lequel apres avoir Este mis en Vente auroit Reste a Mr. Lemese pour la somme de neuf Livres quinze Sols Comme dernier encherisseur 9#15s

Item—Une Rappe de fert Blanc Laquelle apres avoir Este mis en Vente auroit Reste a Mr. Poirie pour la somme de unne Livre dix Sols Comme dernier encherisseur Cy 1#10s

Item—Trois paires de Soullier neufs, lesquels apres avoir Este mis en Vente auroient Reste a Mr. Du Rand pour la Somme de douze Livres quinze Sols Comme dernier encherisseur Cy 12#15s

Item—unne paire de Souliers neufs lesquels apres avoir Este mis en Vente auroient reste a Monsieur Raquet pour La Somme de Cinq Livres huit Sols Comme dernier encherisseur Cy 5#8s

Item—unne Caffetiere de fer blanc laquelle apres avoir Este mis en Vente auroit reste a Monsieur Roge pour La Somme de quatre Livres Comme dernier encherisseur Cy 4#

Item—un Moullin a Poivre Lequel apres avoir Este mis en Vente auroit reste a Mr. Lafontaine pour La Somme de quatre livres Comme dernier encherisseur Cy 4#

Item—un autre dt Moulin a Poivre Lequel apres avoir este mis en Vente auroit reste a Mr. de Montigny pour La Somme de deux Livres quinze Sols Comme dernier encherisseur Cy 2#15s

Item—unne paire de savots Gris lequel apres avoir este mis en Vente auroit reste a Mr. Trudot pour La Somme de Trente Livres Comme dernier encherisseur Cy 30#

Item—un Masque & un Mouille a Chandelle Lesquels apres avoir este mis en Vente auroient a Mr. Montigny pour la Somme de treize Livres Cinq Sols Comme dernier encherisseur Cy 13#5s

Item—unne douzaine Dassiettes neuves Lesquelles apres avoir Este mis en Vente auroient Reste a Mr. Robert pour La Somme de vingt deux Livres Comme dernier encherisseur Cy 22#

Item—unne douzinne et demye dassiettes Lesquelles apres avoir Este mis en Vente auroient Reste a Mr. Dastur pour La Somme de vingt Cinq Livres Comme dernier encherisseur Cy 25#

Item—deux Grands plats potagers Lesquelles apres avoir Este mis en Vente auroient Reste a Mr. Robert pour La Somme de huit Livres Cinq Sols Comme dernier encherisseur Cy 8#5s

Item—deux plats de Moyenne grandeur Lesquels apres avoir Este mis en Vente auroient Reste a la Compagnye pour La Somme de Six Livres Comme dernier encherisseur Cy 6#

Item—Cinq plats de plusieurs espece Lesquels apres avoir Este mis en Vente auroient Reste a Mr. Montigny pour La Somme de neuf Livres dix Sols Comme dernier encherisseur Cy..... 9#10s

Item—deux Sallieres, deux cuilleres & deux fourchettes Lesquels apres avoir Este mises en Vente auroient Reste a Mr. Diron pour la Somme de Cinq Livres Comme dernier encherisseur Cy..... 5#

Item—unne poivrière Laquelle apres avoir este mise en Vente auroit Reste a Mr. Poirier pour la Somme de quatre Livres dix Sols Comme dernier encherisseur Cy..... 4#10s

Item—trois Gobelets un Verre un pot a eau le tout de Verre apres avoir Este mis en Vente auroient Reste a Mr. Montigny pour la Somme de unne Livre dix Sols Comme dernier encherisseur Cy 1#10s

Item—unne serrure avec sa Garniture de ferrure pour des fenestres le tout apres avoir Este mis en Vente auroit demeure a Mr. de Vilainville pour la Somme de huit Livres dix Sols Comme dernier encherisseur Cy..... 8#10s

Item—un sacq de pierre a fusil lequel apres avoir Este mis en Vente auroit reste a Mr. Trefontaine pour la Somme de trois Livres Comme dernier encherisseur Cy..... 3#

Le Coffre ou tous les susdits Effets se sont trouves dedans Sur la representation que nous a fait le Vallet dudit defunt Sieur de Lauze quil Luy appartenoit apres nous estre suffisement Informe Sy le dit Coffre luy appartenoit veritablement nous luy avons remis.

Item—unne Canevette & neuf flacons Lesquels apres avoir Este mis en Vente auroient Reste a Mr. Lebastor pour La Somme de trente Livres quinze Sols Comme dernier encherisseur Cy..... 30#15s

Item—un matelat de Bourre Lequel apres avoir Este mis en Vente auroit Reste a Mr. Trefontaine pour la Somme de vingt Livres Comme dernier encherisseur Cy..... 20#

Item—un aud dt matelat Lequel apres avoir Este mis en Vente auroit Reste a Mr. Robert pour la Somme de douze Livres Cinq Sols Comme dernier encherisseur Cy..... 12#5s

Item—un aud dit Matelat Lequel apres avoir Este mis en Vente auroit Reste a Mr. Brusle pour la Somme de douze Livres dix Sols Comme dernier encherisseur Cy..... 12#10s

Item—unne Couverture de Layne Bleut Laquelle apres avoir Este mis en Vente auroit Reste a Mr. Trefontaine pour La Somme de dix huit Livres Comme dernier encherisseur Cy..... 18#

Item—unne Courtepoin Dindienne Laquelle apres avoir Este mis en Vente auroit Reste a Mr. Montigny pour la Somme de vingt Cinq Livres dix Sols Comme dernier encherisseur Cy..... 25#10s

Item—unne Couverte ayant Servuy Laquelle apres avoir Este mise en Vente auroit Reste a Mr. de Chateaugue pour la Somme de sept Livres dix Sols Comme dernier encherisseur Cy 7#10s

Item—unne aud dte Couverte de Layne Blanche Laquelle apres avoir Este mise en Vente auroit Reste a Mr. Boulet pour La Somme de dix Livres Comme dernier encherisseur Cy 10#

Item—deux Convertes Neuves de Layne Blanches Lesquelles apres avoir Este mises en Vente auroient Restees a Mr. Trefontaine pour La Somme de Trente Livres Comme dernier encherisseur Cy 30#

Item—un quart de farinne lequel apres avoir Este mis en Vente auroit Reste a Mr. Thomas pour La Somme de cinquante trois Livres Comme dernier encherisseur Cy 53#

Item—un aud quart de farinne Lequel apres avoir Este mis en Vente auroit Reste a Mr. de La Pointe pour La Somme de cinquante trois Livres Cinq Sols Comme dernier encherisseur Cy 53#5s

Item—deux quarts de Farinnes lesquels apres avoir Este mis en Vente auroient Reste a la Compagnye pour la Somme de cent deux Livres Comme dernier encherisseur Cy 102#

Item—un quart d'eau de vie Lequel apres avoir Este mis en Vente auroit Reste a Mr. Montigny pour La Somme de cent trente Livres Comme dernier encherisseur Cy 130#

Item—un autre quart d'eau de vie Lequel apres avoir Este mis en Vente auroit Reste a Mr. Robert pour La Somme de cent vingt deux livres dix Sols Comme dernier encherisseur Cy 122#10s

Item—un aud dt cart d'eau de vie lequel apres avoir Este mis en Vente auroit Reste a Mr. des Brosses pour La Somme de cent vingt unne livres & Cinq Sols Comme dernier encherisseur Cy 121#5s

Item—un Baril de poudre Lequel apres avoir Este mis en Vente auroit Reste a Mr. Dartus pour la Somme de de Cent Livres Comme dernier encherisseur Cy 100#

Item—un Baril de Plomb Lequel apres avoir Este mis en Vente auroit Reste a Mr. Dardus pour La Somme de cinquante Livres Comme dernier encheriseur Cy 50#

Item—un Baril de Sucre Lequel apres avoir Este mis en Vente auroit Reste a Monsieur Boulet pour La Somme de seize Livres dix Sols Comme dernier encherisseur Cy 16#10s

Item—douze grandes haches Lesquelles apres avoir Este mis en Vente auroient Reste a Mr. Le Roy pour La Somme de vingt six Livres Comme dernier encherisseur Cy 26#

Item—unne piece de Toille de Mesly Laquelle apres avoir Este mise en Vente auroit Reste a Mr. Le Basts pour La Somme de vingt six Livres Comme dernier encherisseur Cy 26#

Item—un Manteau de Drap Gris Lequel apres avoir Este mis en Vente auroit Reste a Mr. Robert Pour la Somme de seize Livres Cinq Sols Comme dernier encherisseur Cy..... 16#5s

Item—un porte manteau bluf Lequel apres avoir Este mis en Vente auroit Reste a Mr. Robert pour La Somme de six Livres Comme dernier encherisseur Cy..... 6#

Item—un porte manteau usé Lequel apres avoir Este mis en Vente auroit Reste a Mr. Du Rand pour La Somme de quinze Sols Comme dernier encherisseur Cy..... 15s

Item—un Sacq de Bled Dinde Lequel apres avoir Este mis en Vente auroit Reste a Mr. de Chateaugue pour La Somme de trois Livres Comme dernier encherisseur Cy..... 3#

& Comme Lheure de Midy seroit Survenue Nous nous Serions Retires & aurions Renvoye La Continuation de La Presente Vente a Cette apres Dinee.

En Continuant La presente Procedure Cejourdhuy quatrieme Novembre en Consequence du Renvoy fait Sur les deux heures apres Midy Nous nous Serions transporte dans La maison dudit defunt Sieur de Lauze & ou Estant la plus grande partie des Bourgeois assembles nous aurions fait Crier et mettre en Vente:

Premierement unne Tourtiere Cuivre Rouge Estamee Laquelle apres avoir Este mise en Vente auroit Reste a Mr. Le Bars pour la Somme de vingt trois Livres Comme dernier encherisseur Cy..... 23#

Item—unne Grande Marmite Laquelle apres avoir Este mise en Vente auroit Reste a Monsieur Robert pour La Somme de seize Livres quinze Sols Comme dernier encherisseur Cy..... 16#15s

Item—unne dte Marmite Laquelle apres avoir Este mise en Vente auroit Reste a Mr. La Pointe pour La Somme de vingt unne livres dix Sols Comme dernier encherisseur Cy..... 21#10s

Item—unne petite Marmite Cuivre Rouge Laquelle apres avoir Este mise en Vente auroit Reste a Mr. Rougeon pour La Somme de douze Livres dix Sols Comme dernier encherisseur Cy..... 12#10s

Item—unne dte Marmite Laquelle apres avoir Este mise en Vente auroit Reste a Mr. de Chateaugue pour La Somme de dix Livres seize Sols Comme dernier encherisseur Cy..... 10#16s

Item—unne Casserolle Laquelle apres avoir Este mise en Vente auroit Reste a Mr. Rougeon pour la Somme de Sept Livres Comme Dernier encherisseur Cy..... 7#

Item—unne Casserolle Laquelle apres avoir Este mis en Vente auroit Reste a Mr. Lafontaine pour la Somme de Cinq Livres quinze Sols Comme dernier encherisseur Cy..... 5#15s

Item—deux Ecumoirs et deux Cuilliers a Pot Lesquelles apres avoir Este mis en Vente auroient restees a Mr. Lafontaine pour La Somme de huit livres quinze Sols Comme dernier encherisseur, Cy.....8#15s

Item—un Rechaud Lequel apres avoir este mis en Vente auroit reste a Mr. Le barts pour la Somme de Six Livres Commé dernier encherisseur Cy.....6#

Item—un aud Dit Rechaud Lequel apres avoir este mis en Vente auroit reste a Monsieur Lafontaine pour La Somme de quatre Livres Cinq Sols Comme dernier encherisseur Cy.....4#5s

Item—un poilon Cuivre jaune Lequel apres avoir Este mis en Vente auroit a Monsieur Bienville pour la Somme de Cinq Livres Commé dernier encherisseur Cy.....5#

Item—deux Chandelliers de lotton avec un porte mouchette et des mouchettes le tout apres avoir este mis en Vente auroit reste a Mr. Lafontaine pour la Somme de Cinq Livres quinze Sols Comme dernier encherisseur Cy.....5#15s

Item—deux Chandelliers avec un porte mouchette et leurs mouchettes le tout apres avoir este mis en vente auroit reste a Mr. de Trefontaine pour la Somme de Cinq Livres dix Sols Comme dernier encherisseur Cy.....5#10s

Item—un Chaudron Lequel apres avoir Este mis en Vente auroit reste a Monsieur de la Vigne pour La Somme de Six Livres Cinq Sols Comme dernier encherisseur Cy.....6#5s

Item—un aud Dt Chaudron Lequel apres avoir Este mis en Vente auroit reste a Monsieur fabus pour La Somme de Six Livres Cinq Sols Comme dernier encherisseur Cy.....6#5s

Item—unne Poille Laquelle apres avoir Este mise en Vente auroit restee a Monsieur Lafontaine pour La Somme de Quatre Livres quinze Sols Comme dernier encherisseur Cy.....4#15s

Item—unne paille & unne pince le tout apres avoir este mis en Vente auroit reste a Monsieur Detstus pour La Somme de quatre Livres Dix Sols Comme dernier encherisseur Cy.....4#10s

Item—unne Lechefrite et unne Broche ayant este mises en Vente auroit reste a Monsieur Lafontaine pour La Somme de Sept Livres quinze Sols Comme dernier encherisseur Cy.....7#15s

Item—un Gril Lequel ayant este mis en Vente auroit reste a Monsieur Trefontaine pour la Somme de Six Livres Comme dernier encherisseur Cy.....6#

Item—un autre Gril Lequel apres avoir Este mis en Vente auroit reste a Monsieur La Fontaine pour La Somme de trois Livres dix Sols Comme dernier encherisseur Cy.....3#10s

Item—un fusil Garny de Cuivre jaune Lequel apres avoir Este mis en Vente auroit reste a Mr. de Vilainville pour La Somme de quarante Livres Cinq Sols Comme dernier encherisseur Cy.....40#5s

Item—unne paires de Pistolets Garnis de Cuivre Jaune Lesquels apres avoir Este mis en Vente auroient reste a Monsieur de Chateau-gue pour La Somme de Vingt Cinq Livres Comme dernier encherisseur Cy.....25#

Item—Trois Chapeaux de Traittes Lesquels apres avoir Este mis en Vente auroient reste a Monsieur de Vilainville pour La Somme de treize Livres Comme dernier encherisseur Cy.....13#

Le prix delavente desquels Meubles ainsy que de tous Les Effets mentionnes aud In re Se Monte a lasomme de deux Mil cinq Cent Soixante dixsept Livres Lesquels Jay Remise entre Les Mains de Monsieur de Gauvrit Major et Executeur testamentaire le jour et an que dessus

Signe de Gauvrit et des Brosses Paraphe.

Collationne a Loriginal en papier alinstant Rendu a Monsieur De Gauvrit par nous Norre Royal en la Province de la Louisianne. A la Nouvelle orléans Le Deux juillet mil Sept Cent Vingt.

Rossard, Nore.

Receu de Monsieur de Gauvrit pour lapste Coppie Collationnee en papier quatre piastres.



THE LATIN CITY A Plea for Its Monuments

"Divina natura dedit agros, ars humana aedificari urbes."
—Varro: *De Re Rustica, III.*

*By Edward Alexander Parsons,
Delivered before The Louisiana Historical Society,
April 27, 1920.*

By their cities shall you know them.

Not all the praise of country-side and rustic scene by poet and romancer, not even the philosophic thrust that the first city was founded by Adam's wayward son, can ever change the fact, that the meeting-place of men, where they do congregate to exchange ideas, relate experiences, formulate rules of conduct and band themselves in co-operative endeavor, in united effort for the general good, that this seat of social concourse—the city—is the type and standard of their civilization.

The very word "civilization," the propriety of which was not admitted by old Johnson, means the advancement of men from a rude and rustic state to a condition of civil organized society; it is the record of the manners and customs, the life of the city-men, not the record of the manners and customs, the life of the country-men, the rustics or the villagers. Truly "the links that bind men to capitals belong to the golden chain of civilization,—the chain which fastens all our destinies to the throne of Jove. And hence the larger proportion of men in whom genius is pre-eminent have preferred to live in cities, though some of them have bequeathed to us the loveliest pictures of the rural scenes in which they declined to dwell."

And so to be deprived of walking in the Loggia or upon the streets of Florence, was to Dante exile indeed; so Socrates preferred to drink the hemlock than leave Athens where he had always dwelt; and even Byron in spite of poetic praise of nature's beauties as above the things of men, is compelled to cry out, as he beheld the Eternal City:

"O Rome! my country! city of the Soul!"

Among cities, as among individuals, those only have been great, noted or notorious, that have exemplified heroic achievements, well defined character, or by the want of these have merited the disapproval or contempt of mankind.

A city to be truly great must typify the genius of a race, a cause or ideal; a city to be noted must represent the best achievement in thought or action, in some department of human endeavor; and a city to be notorious has only to outrival her sisters in brazenly proclaiming her weakness and short-comings.

And so the very names of places conjure rare images of universal types and ideas—running the gamut of human appeal, viewed through a speculum reflecting every variety of color from empyrean's primal shades to the dark mazes of the pit. The Holy City, Jerusalem, prefigures "faith" to Jew, Christian and Moslem alike; the far-famed city of Athena, "violet crowned," will ever be the fairest goddess of beauty in art and thought; the Eternal City will represent the rock of religion, law and government; the glories of the Renaissance are quickened by the name of Florence; mighty London, stands for trade; Paris, is the epitome of the Latin spirit, that subtle genius of life and art, that has made the French the modern Greeks; and, in the mazes of the abyss Carthage is, as Sybaris should be, forgotten.

In the New World, perhaps but three cities possess all those qualities of race, character, varied history, local art, a spontaneity of life, manners and customs, and with it all a charm, quaint, piquant, full of distinctive color,—they are: Mexico City, Quebec and New Orleans.

It is curious that they are all of Latin origin, two the children of France and one the daughter of Spain.

Now there are many other cities in North America, hundreds of them places of wealth, refinement and modern comfort and all with a local interest, but wood, brick and marble, money and population will not alone make a world-city, a seat of historic, artistic and international renown, one which will ever hold a unique place in the story of man's effort to build as if he would live forever.

The genius of Italy, the industry of Spain, the indomitable spirit of French and English men had founded a new world upon the earth's oldest continent.

In search of gold, the El Dorado, in search of adventure, in search of India, in search of China, in search of furs, in search of souls, came that brave array of Latin men, to note upon a map its three-tongued mouth; to recite rare fables of the golden store in the

rich villages, beside its bank; to meet the last visitant amid shipwreck in its Delta; to find the last abode within the bosom of its majestic stream; to explore its upper reaches for trade and God; to discover that it flowed south, to the Gulf, and not west, to China; to create a vast empire of the country through which it coursed and to explore for half a thousand miles its unknown waters; and finally upon its banks to found its capital, a city, that should ever keep aflame the torch they kindled—the Latin spirit within this western world—such were the purposes, visions, destinies and achievements of the geographer, Americus Vespuclius; Alvarez de Pineda, its first explorer; the unfortunate Pamphilo de Narvaez, the fanatical gold-seeker Hernando de Soto; the fearless trader and the heroic priest, Joliet and Marquette; La Salle the Mediaevalist and greatest enthusiast in the history of exploration; the efficient and practical buccaneer, Iberville; and finally the intrepid Bienville, "Father of Louisiana" and "Father of New Orleans"—who all imperishably wrote with their life blood and heroic efforts the wondrous story of the Palissado River, of the Rio del Santo Espiritu, the St. Louis, the river Colbert, and last as at first, the great river—the Mississippi.

La Salle had dreamed of a city upon the Mississippi River; Bienville, surmounting every obstacle, founded New Orleans.

The story of the origin, growth and determination, for nearly two decades, in the mind of Bienville to build a city upon the river in order to control it and thus secure the permanent suzerainty of France to the vast empire which it drained; the selection of the site, the drawing of the plans or survey by de la Tour or Pauger; the difficulties, trials and perils of wind and water, of savage tribes and still more dangerous swamps, the miasma and disease; the first beginning in 1718; the little settlement, almost as soon as built destroyed by the September hurricane; the fever; the coming of the ships crowded with all the unfortunates of the street, the hospital and the prison—sad victims of the schemes of Law and the rule of the Regent; the advent of the Ursuline sisters, the Jesuit fathers and Capuchins; the arrival of the marriage ships—the Casket girls (*filles a la Cassette*)—with their little chest of clothes provided by the King; the old fortifications, moats, gates, and forts; the great fires, on Good Friday, 1780, and again in 1786, when the best portion of the town was destroyed; the rebuilding of the city along more permanent lines, and in a Spanish style; the visits of distinguished men, the republican General Humbert, the hero of Landau; Jean Victor Moreau, rival of Napoleon, and hero of Hohenlinden; the Duke of Orleans (later to become Louis Philippe the citizen King of

the French) and his brothers who were entertained by the Marignys; the great Lafayette; and the interesting Dr. Antommarchi, who had closed the eyes of Napoleon at St. Helena; the wonderful variety of life and population of the colonial city; distinguished ecclesiastics, French governors and intendants, and members of the Council, Spanish governor-generals and members of the Cabildo, cavaliers and defenders of the monarchy, men of the Revolution, republicans, and tribunes of the people; the Baratarians, smugglers and pirates—the best and the worst blood of France and Spain; and the Anglo-Saxon back woodsmen from up the river; Indians and Africans, both slave and free, together with a smattering of the populations of Europe and the New World; the fame and renown of one of the world's great battles, when the men of Jackson and New Orleans met the soldiers of the Peninsula war on the field of Chalmette and utterly defeated them; the watch and ancient gendarmerie; and the introduction of street lamps in 1821; its triumphs of industry, as when Etienne de Bore (1794) extracted sugar from the juice of the cane; its advancements in transportation, when the first steamboat arrived at its wharves in 1818, and its Pontchartrain railroad became the second railroad completed in the United States; and above all its unique triform history, French, Spanish and American—surely it is a record to test the chronicler, to furnish material to poet and romancer, it is a mine from which great epics might be wrought, and it is the theme that has illuminated the historic pages of Gayarre and Miss King, of Martin and Fortier.

As we all know, the city proper was a parallelogram, about seventy arpents in width, along the river front, with a depth of about fourteen arpents.

This area was traversed by seven parallel streets almost parallel with the river, intersected by twelve streets, running, nearly at right angles to the river. This is to so-called Vieux Carre extending from the river to Rampart, from Esplanade to Canal.

Its immediate environs were: Back of Rampart, the faubourg Treme, below Esplanade, the faubourg Marigny, above Canal, the faubourg St. Mary. Beyond these areas, particularly, in the rear, was the dread la Cypriere, a region of treacherous bog, almost impassable swamp—a weird domain of dank vegetation, latanier, a jungle of willow and cypress, the abode of insect and reptile life, from which stalked, like in Beowulf of old, the dread miasma.

The city was regularly laid out with a central place devoted to Church and State and the activities of civic life. The buildings arose in wood and brick and permanent forms, the Cathedral, the

Convent, the Hospital, the Seat of Government, the Town Hall, the Barracks, the Prison, the theatre, the hotel, the humble cottage, and pretentious home, with many an ambitious structure in Chartres, Royal and Rampart.

And so was planned and built a complete town, with a distinct individuality—a place *sui generis* among her sister cities of world interest.

And ever since this *carré*, has been a treasure-trove to the intellectual mind. Within its precincts the student of men and matters may behold a unique branch of Latin culture and civilization, replete with lights and shadows of its individual types, developed at the extreme of the world's greatest valley, from centuries of traditions of the Latin race, brought in contact with the crude elements of colonial life. The whole scheme of existence is here, from Pere Antoines to Voodoo queens, from Chevaliers to water thieves, from the Carnival to Octoroon balls, from the proud dame to poor Mari-quita, from pralines to creole wonders in the gastronomic art.

Within its bounds the historian has yet to fully explore its treasure-chambers of sources and documents that should illumine the dark corners of its ancient French, Spanish and American regimes.

Within its quarters the antiquary may find not only the death-mask of the world foremost military genius, a Latin by blood and a Latin by adoption, as well as many a rare and curious memento of regal, revolutionary and imperial France, of romantic Spain, and of the daughters of both in this new world.

Within its streets and houses rich in historic memories, the novelist may find rare material for story or romance which he may fashion with truth or falsity.

Within its tribunals, alone, the jurisconsult may behold the actual administration of the *Corpus Juris Civilis*, the Spanish law, the Code Napoleon and the common law of England.

Within its area the architect will discover the endless symbols of his art, with loggia, colonade, patio, arcade, arched portals, massive doors, fan-shaped windows, wrought iron gates, and the delicate lace work on balustrade and balcony in ornamental iron.

Within its narrow alleys, its antique courtyards, at the turn of some corner with a vista of overhanging balconies, some fine design or bit of ornament transferred to canvas by Woodward, or serving the realistic pen of Churchill, or the more impressionistic pencil of Frances Jones, proclaim a charming art-opportunity much neglected or ignored. How often have we wished to see these native

scenes also portrayed on canvas or wrought in bronze by the firm hand of Ciceri, Wickstrom, Molinary, Poincy, Perelli and Jules Andrieu.

*"The nature of our people
Our City's institutions"—*

are subjects too subtle and profound for hasty treatment, and so, I must pass them by.

And yet, if you are not weary:

*"I am not weary, and 'tis long tonight;
I pray you, let's satisfy our eyes
With the memorials and the things of fame
That do renown this city."*

I shall mention but three, our three great monuments, as types of Church, State and Art, though I do not hope to satisfy your ears, and much less your intellects. If in a sense you may know a people by their city, so may you know a city by its buildings.

The Church, the government and the theatre, representing the religion, law and art of a community, will ever be the test of its quality. What is the record of New Orleans in these essentials?

The instance of Pisa alone comes to my mind with its Campanile, Cathedral, Baptistry and Campo Santo.

Bienville set aside the center of his city for Church and government and people.

The first religious services were held beneath a tent; a wooden church was built and destroyed by the hurricane; a brick church was built and destroyed by fire (1788) and finally the Cathedral was rebuilt by Almonester, it was modified by Latrobe in 1814, by Le Riche in 1824, and has but recently been restored. The Cathedral came to stand almost with a palace and a prison on each hand.

In the beginning a guard house and a prison were on its south side; a building was erected where was held the Cabildo instituted by the iron hearted O'Reilly. Fire also destroyed the place; and again our Andalusian benefactor, Almonester, built the present Cabildo. The city later reimbursed the expense, some \$28,000, to his widow.

This is probably the second most historic building in America, and as Cabildo, Town Hall, Supreme Court and scene of the "Transfer" and many famous events, it must ever have, at least for Louisianians a worth beyond price.

The Presbytery occupied the north side of the Cathedral, it was sold to the City and the present structure erected, though poorly constructed, a copy of the Cabildo, and for many years occupied by our civil courts. These buildings are now occupied by the State Museum and the Louisiana Historical Society and are being preserved.

In front of the Cathedral, the Cabildo and the Presbytery, stretched the Jackson Square, the famous Place D'Armes, with Mills' equestrian monument to the hero of the Battle of New Orleans.

This square is flanked by the two piles built by Baroness de Pontalba; buildings of great architectural worth, splendid in tone and color and remarkable for their proportionate balance of mass and line. This square and its famous environs constituted the very heart of the ancient city.

And finally we reach the third in the trilogy of our most famous monuments—the French Opera House. Mr. Harry B. Loeb and Mr. Andree Lafargue, in history and in sentiment, have made this theme their own. Unfortunately here we cannot use the words "restored", "preserved," but are compelled to employ the most hopeless word in any language "destroyed."

Yet real destruction is from within and cannot be successful if entirely from without.

The Persians destroyed the buildings on the Acropolis while the devoted Greeks watched from their ships; Rome has repeatedly been devastated by the barbarians; and but yesterday we had to:

*"Look on fertile France
And see the cities and the towns defaced;"*

but Pericles rebuilt upon the citadel the most beautiful structure that man has yet devised; Rome the eternal could not die; and France from the wreck will rise stronger and fairer to behold.

Can it then be possible that a city and a people, with the traditions, history and spirit of New Orleans, in these days of great prosperity, can look with indifference upon a matter so essential to its true greatness, a proper respect for its historic and artistic past and proper care for its future fame?

There can be but one answer: That New Orleans, as ever in great matters, will be true to herself, that commensurate with her pride, observant of the right, she will, out of her plenty, upon the identical site, rebuild in all its old magnificence, Gallier's masterpiece, the French Opera House, her far-famed Temple of Song.

THE NEW ORLEANS FRENCH OPERA HOUSE

A Retrospect

Memories of the Past Brought Up by the Smoldering Ruins of the Historic Old Edifice.

By André Lafargue.

Stones speak. Their appeal is mute but none the less profoundly eloquent. Those who contemplated the smoldering ruins of that which formerly constituted a monument dear to all those who are enamored with art and its proper presentation, could easily have convinced themselves of the truth of this assertion. I have reference to the French Opera House, the dear old building now no more. The flames have, alas, completely consumed it. Nothing has been left of it but a huge pile of bricks and mortar.

As we looked upon the blackened walls, which stood out dark and desolate in fragmentary condition, and upon what remained of the front portion of the historic edifice, marred and defaced by fire; as we gazed upon the slowly ascending smoke that emerged from the smoldering embers and mounted skyward in what seemed to us a silent but most eloquent protest, a feeling of profound sadness came upon us and tears sprang to our eyes. Those walls and ruins had witnessed such beautiful and gorgeous events of Louisiana mirth and revelry; within the space that they encompassed so many scenes had been enacted dear to our heart and so closely connected with our life history within the last sixty years that we were bound to recall them as we viewed the ruins of the old Opera House. Yes, stones have a language of their own. Those of the French Opera speak to us as we pass by on Bourbon street and we listen to them intently and with deep emotion, because we fully understand what they say, because we are familiar with the message which they unceasingly convey.

There was not a single building in Louisiana as closely identified with the history of our festivals and revelries of the highest order as the old French Opera House. The lyric temple on Bourbon street was truly the patrimony of all Louisianians, the scene of wondrous gatherings and sumptuous receptions at which generations of New Orleanians met on pleasure bent, in order to forget the ills and cares of life neath the dispelling influence of suave and rapturous

music. Harmony reigned supreme within its walls. It was the abode of mirth and laughter, of pleasure and revelry. But it was not merely a temple dedicated to lyric art. For many years Terpsichore had tripped the light fantastic on its stage and extended platform, and there isn't a single person whose privilege it has been to witness the elaborate and highly artistic Carnival Balls held in the old Bourbon Street Opera house, who does not cherish the memory thereof.

What splendid receptions and gatherings of a social, patriotic and historic character were held in the famous auditorium of the Opera House, an auditorium whose exquisite proportions, gracefully curved balconies, proscenium and open boxes and cozy stalls, formed a delightful and harmonious inner setting of pure architectural beauty, which those who were qualified to express themselves have time and again praised.

It can truthfully be said that since 1859, the year in which the French Opera House had been built, the main events in the lyric and operatic history of New Orleans had been enacted within its walls. There isn't a Louisianian, worthy of that name, who was not familiar with the nooks and corners of the place. One felt at home the minute he had crossed the threshold of the dear old edifice, feeling sure that he would meet there familiar faces, men and women whose beaming countenances and joyful mien showed that they were fully enjoying the performances that they were attending. This feeling of contentment is one that is quite noticeable among those who are fond of beautiful and harmonious music.

In the "foyer," the lobbies, at both extremities of the "Corbeille" or "Horseshoe," as some called it, on the stairways, during intermissions, groups of theatre goers would congregate to discuss their impressions and to recall memories of bygone days. The tenor robusto's high notes or the lower register of a contralto would be passed upon in critical appreciation. Comparisons would be made, old recollections would be brought up and the younger generation would listen intently and with deep interest to stories of the great vocal triumphs of a Raoul de Nangis, some fifty years ago or to the success achieved by a Marguerite whose mirror would presently reflect but an old and wrinkled face; stories related with great fervor and special gusto by the older habitues of the lyric temple. In many of these conversations held during the intermissions, the day's doings would be referred to, the cares and worries, the joys and deceptions, the pleasures and vicissitudes of life, would be touched upon and one could now and then hear remarks concerning one's neighbor that were not always of a kindly character or charitable nature. In short

the Opera House was the home of music and gossip and there was not a place in Louisiana so typically representative of our people, past and present, as the lyric temple on Bourbon Street. Society met there at its very best and at times at its very worst. To become really acquainted with New Orleans society, its special character, its piquancy, its refined and delightful appearance, its fads and fancies, one had to attend a performance at the Opera House. One could never forget the lovely and stately picture which the Horse shoe or "Corbeille" would present, at the "Premiere" or opening performance of the season or on gala events, with its boxes and stalls filled with the elite of New Orleans budding womanhood, debutantes, who wore gowns of exquisite design and confection and whose appearance and beauty rivalled with the dazzling lights and flowers that set them off to advantage. A "Premiere" was a scene that would remain indelibly impressed upon one who was given the privilege to witness it. It had a character of its own, a special splendor that could be found nowhere else. On such an occasion the sight of the house filled to overflowing with the most beautiful of all women, the Creoles of Louisiana, was one that proved as interesting to the observer as the performance that was being enacted on the stage. One's eyes would rest with keen pleasure upon the group of vivacious and handsomely attired debutantes, whose multicolored and daintily shaded dresses of various designs, patterned after the height of fashion, would form a picture of dazzling beauty and colorful contrast, which the most critical could but admire. Looking at it one would fain exclaim like Raoul de Nangis in the *Huguenots*: "Ah, quel spectacle enchanteur vient s'offrir a mes yeux." "What an enchanting sight I now behold."

If Orpheus were wont to draw magic and rapturous music from his lyre in our Bourbon Street temple, if Terpsichore gracefully and lightly tiptoed therein, in conventional gauze ballet attire, or draped as a daughter of Spain or as a minuet dancer of the eighteenth century, Venus likewise held sway in the old historic place. How many of the most beautiful and attractive daughters of Louisiana the now blackened and fire defaced walls of the Opera House have looked upon; some of them Queens of our Carnival Balls, but all of them crowned with the more durable diadem of youth and loveliness; majesties before which we of the stronger sex felt weak, submissive and awe stricken?

In their mute language what wondrous tales of youth and romance the old walls of the Opera House could relate, for where Venus reigns Cupid is always close by ever ready to exercise his skill as an adroit and unerring archer. How many of us have heard the

first whisperings of love in the Opera House? The old building has been the scene of how many timid and blushing avowals, of episodes of a highly romantic character, of flirtations that left either pleasant recollections or heart burns?

Most of us as we looked upon the smoldering debris of the fast crumbling walls of the Opera House were bound to associate them with some incident or another of our life time. The place was identified with so many events in our life of a personal character, it brought up recollections of such an intimate nature, that each and every one of us looked upon it as a sort of common home, and we all felt as it vanished in smoke that we had lost a very dear friend, one that had proven to us true and faithful. Its disappearance made us feel that we had lost a haven of solace and enjoyment. It is not strange therefore that tears should have come to our eyes and a great sorrow should have fallen upon us as we viewed the ruins and smoldering debris that had once constituted one of the most exquisitely proportioned lyric temples of the world. The loss is one that was felt in every home of Louisiana. There are few people in our State who did not deplore the catastrophe. Surely no other fire in the history of our State has ever spread such gloom and sorrow. The Opera House was one of our civic and architectural glories. It was one of a group of edifices truly representative of our Latin civilization and origin and which unfortunately is fast disappearing.

Since the 4th of December, 1919, Orpheus sits disconsolate upon the ruins of the French Opera House, with a broken lyre at his side. Where she formerly danced in sprightly fashion and whirled around to her heart's content Terpsichore now steps in solemn and mournful cadence. The days of rapturous revelry seem gone. Amneris can truly weep for Rhadames will appear no more in triumphal procession, headed and heralded by trumpeteers who sounded in ever ascending crescendo the strains of the famous victory march and Edgar of Ravenswood would find today a befitting spot for his final exit from this world amid the ruins of the Opera House. And Venus, goddess of beauty, looks with profound sorrow upon the site where formerly stood in all of its splendor and majestic appearance a temple wherein her devotees were wont to worship at her shrine.

However, it is to be hoped that Louisianians will face the disaster with their accustomed fortitude and spirit of determination. Grieving over the situation, though entirely justified, will not help. Something must be done to rebuild the great historic landmark. The French Opera is an institution that must not disappear. We owe it to ourselves and to our ancestors to rebuild it; we owe it to

the old institution, that meant so much to us, to cause it to rise phoenix like from its ashes, in the shape of a splendid new building, on the very spot where it had stood for sixty years as a center of French culture and artistic refinement. A new French Opera House is a crying need, but as His Excellency, Mr. Jules J. Jusserand, Ambassador of France to the United States, has so well put it in his telegram of condolence addressed to the people of New Orleans, as soon as he had been apprized of the catastrophe, the edifice must be resurrected, must emerge triumphant from the ordeal of fire and destruction, on its former site. The Opera House was a Palladium to our old French Quarter. As such it must be rebuilt where it formerly stood.

On behalf of all those who were crowned Queens of our Carnival Balls, of their courts and courtiers, of all those with whom we have time and again waltzed or two-stepped in rapturous delight on the stage of the old Bourbon Street house; in the name of the great singers who have appeared on the boards of the old historic building; in the name of history and of the glorious past we fervently hope that through generous donors and public spirited citizens, the Opera House, magic like, will arise once more on the very place where Gallier had built it, to delight the many thousands that sought recreation and gayety within its hallowed walls. To build it anywhere else would cause Orpheus to lament such a decision, would force Terpsichore to seek another abode and would compel Venus to hide her wonderous face neath tears and desolation. A priceless gem, to properly scintillate, must be given the right setting. An Opera House in New Orleans would not find its true atmosphere and surroundings in any other place than at the corner of Toulouse and Bourbon Streets. There only can it regain its pristine glory and historic character.



REPORT OF THE PROCEEDINGS OF THE LOUISIANA
HISTORICAL SOCIETY FROM JANUARY, 1919,
TO MAY, 1920, INCLUSIVE

The Cabildo, January 21st, 1919.

The meeting was called to order by President Cusachs, a fair attendance being present. Owing to the absence of the Secretary, Mr. Jas. A. Renshaw was requested to act in that capacity, and as a further consequence the minutes of the previous meeting were not read.

There were no reports from committees or officers.

Under the head of unfinished business, Mr. Dymond moved the adoption of the Hart amendment as follows:

"No member not in good standing shall be allowed to vote at any meeting; and to be in good standing a member must not be in arrears for more than a year's dues."

Being duly seconded the President put the motion, which was unanimously carried.

The election of officers being next in order, Mr. A. B. Booth moved that the position of 2nd Vice-President, made vacant by the death of Wm. Kernan Dart, be filled by Mr. Bussiere Rouen, and that his place as Corresponding Secretary be filled by Mrs. Heloise H. Cruzat, and that the remaining officers, who had well served the Society in the past, be re-elected, and then read the proposed ticket:

Gaspar Cusachs; President; Jno. Dymond, 1st Vice-President; Bussiere Rouen, 2nd Vice-President; Henry Renshaw, 3rd Vice-President; Miss Grace King, Recording Secretary; Mrs. Heloise H. Cruzat, Corresponding Secretary and Librarian; W. O. Hart, Treasurer.

Mr. Booth's motion to elect the ticket as a whole was seconded by several from different parts of the room, and the election by *viva voce* vote was unanimous.

The President then in a few pleasant words called upon the Rev. Clarence Wyatt Bispham for his promised paper, "*Fray Antonio De Sedella*."

The writer had chosen a subject of unusual interest and his treatment thereof indicated deep study and research. He showed how Pere Antoine had been in certain quarters most maliciously attacked, but beyond the simple assertions of those making these charges no documentary evidence had come to light to substantiate

them. Foe and friend alike had testified to his great learning, his superior had tendered him a Bishopric, the entire people (with the named exceptions) loved and esteemed him. At his death, 90 years ago, the respect shown him placed Pere Antoine as one of the great men of Louisiana. In closing his paper, Mr. Bispham suggested that the Society in January, 1929, the 100th anniversary of his demise, hold appropriate ceremonies.

On motion of Mr. H. M. Gill duly seconded, a vote of thanks was tendered the writer of the paper and the same was ordered printed in the Louisiana Historical publication.

The names of the following parties having been duly presented, they were elected members of the Society: Benjamin W. Dart, Geo. W. Clay, Robert F. Werk, Redmond Lamar Patterson.

There being no further business, on motion duly seconded, the meeting stood adjourned.

Jas. A. Renshaw, Acting Secretary.

Approved:

President.

The Cabildo, February 18, 1919.

In the absence of President Cusachs' who was prevented from attending the meeting by illness, Mr. John Dymond presided.

The minutes of the previous meeting were read and approved.

The chairman of the Membership Committee offered the following names for membership:

Messrs. Theodore Roehl, Harry McCall, Donald Renshaw, Mrs. Samuel F. Heaslip, Miss Agnes Morris, Mr. R. B. Bishop, Mr. Harry Gamble.

They were all duly elected.

Miss Grace King proposed the following amendment to the constitution: That the date of the meeting of the Louisiana Historical Society be changed from the third to the fourth Tuesday of the month. She also asked the endorsement of the Society to the proposition being made public in the daily papers; to secure the possession of the Pontalba Buildings by some civic corporation in order to preserve them as a historical and architectural landmark to be used as an art centre; and that the Louisiana Historical Society pledge itself to aid the project in every way and by every means in its power. Both were approved heartily by the members.

Mr. Charles M. Kerr of the State Board of Engineers gave the address of the evening. His subject was, "*Highway Progress of Louisiana*," which he treated largely and generously as well as care-

fully; beginning with a short summary of road building in general from its earliest date in the life of primitive man when he made trails through the forest or wilderness to procure needed supplies of food, after which the lines of communication grew from mere trails to paths which admitted the passage of beasts of burden. With the advent of wheeled vehicles the necessity of broader ways became evident. And thus from the initial step the progress of road making was traced by Mr. Kerr clearly and intelligently until the development of the present good roads movement throughout the Union under governmental patronage. It is since the creation of the State Highway Department a few years ago that road building in Louisiana took on systematic form. Since then modern highways have begun to cross the State from all angles providing arteries of commerce. Constant reference was made to Darby's Louisiana and to Darby's map of the State. "It is remarkable," commented Mr. Kerr, "how accurate the distances given by this eminent explorer are. Considering the difficulties under which he carried on his investigations the results of his labours are marvelous." It was during the year 1909 that the first steps were taken toward systematic road construction in the State. There has been completed to date by the Highway Department six hundred and seventy-one miles of highway of which practically five percent are metal surfaced.

The address was most interesting and informative and a hearty vote of thanks was given the author for it. Regret was expressed by the officers of the Society that more members were not present to enjoy and profit by such a good historical and geographical contribution.

The discussion afterwards ran upon legal questions concerning the upkeep of public roads and the riparian rights of land owners along the course of water ways; Messrs. Hart and Dymond leading in it, the latter as usual illustrating his views with interesting and pertinent reminiscences.

The Society then adjourned to meet in March.

Meeting of March 1919.

When the meeting was opened by President Cusachs, a most gratifying spectacle greeted him, the hall was crowded with members and friends.

After the reading and the approval of the minutes, Mr. W. O. Hart commented on the large attendance and made it the text for a plea for all among them who were not members of the Society to

join it; dwelling on the pleasures and profits to be derived from the meetings and the good value bestowed by the Society's publications, in truth far exceeding the modest membership fee.

The following applications for membership were received and duly elected:

Mr. Walter S. Levis, Mr. George McLeahy, Mr. Peter Galleher.

The amendment proposed by Miss King at the last meeting of the Society, "that the date of meeting be changed from the third to the last Tuesday of the month," was voted on and adopted.

Mr. Hart read the following:

"Suggested amendment of article third of the Constitution: presented by Mr. W. O. Hart under the instructions of the Executive Committee. Article third, Committees. The Executive Committee of the Association shall consist of the officers thereof, to-wit: The President, three Vice-Presidents, Treasurer, Recording Secretary and Corresponding Secretary. Such other standing Committees as may be necessary for the work of the Society, shall be as ordained by the Executive Committee, subject to the approval of the Society at any regular meeting thereof: and such Committees as to names, duties and membership, may be changed by the Executive Committee at any time, with like approval."

Judge Henry Renshaw, who as the President remarked, needed no introduction to the Society, read his paper on "*Jackson Square*" which as to subject and treatment, as the Society testified, by the attention with which it listened to the reading and the applause following, fulfilled all the requirements of a perfect historical and literary essay. Its like can hardly soon be hoped for. As it will be published in extenso in the forthcoming number of the QUARTERLY, to attempt a synopsis of it is unnecessary and criticism presumptuous.

A vote of thanks to the author but feebly expressed the approval and admiration of the audience.

Mr. Hart made some remarks in extension sparkling with humor and filled with information as to the ensuing history of Jackson's monument, showing its inside lining of political partisanship with its further repercussion in the Chalmette monument. Mr. Rouen made a comment upon the history of the last monument when he acted as receiver for the legal finale of its erection. His remarks were well received.

The meeting then adjourned.

Meeting of April, 1919.

Owing to the inclemency of the weather, the attendance was very small; all the officers of the Society, however, were present and the usual routine of business was followed. The minutes were read and approved, and the following were elected members of the Society:

Tulane University Library, Mr. J. Joseph Kennedy, Mrs. H. F. Baldwin, Mrs. Lawrence Newton, Mr. Geo. Trazibuk, Mrs. Geo. J. Deynoodt, Mrs. Chas. Taylor Henderson, Mr. Geo. McLeahy, Mrs. E. L. Mountfort, Mr. Edmund H. Bell, Mrs. R. H. Hadden, Mr. L. E. Thomas, Mr. Stanley Behrman, Mr. Ernest E. Schuyten, Mr. J. C. Hollinsworth, Mr. Adrian D. Schwartz, Mr. Robert Gottschalk, Mr. Geo. J. Deynoodt, Miss Ruby Lallande, Mr. Karl J. Kohnke, Mr. Vic. Lebeau, Mrs. Anna Fornaris de Armas, Mr. Jos. B. Dornier, Admiral Benjamin Tappan, Mr. Theo. J. McGeihan.

According to the program, the Hon. L. E. Thomas, Chairman of the Board of State Affairs, was the essayist of the evening, having consented to read a paper on the new fiscal system of Louisiana. Mr. Thomas was present at the meeting with the paper he had prepared. But as the heavy rain continued, and few members could be present, and as the wish to hear Mr. Thomas was too well known to be slighted, the President asked the favor of deferring the reading of the paper to some future meeting when circumstances would prove more propitious.

Mr. Thomas consented to this, expressing his interest in the Society and its work in a short address of appreciation over his election into the Society.

Mr. Henry P. Dart, who followed Mr. Thomas on the program, not being present, the Society filled the evening with routine work and interesting discussions arose in the course of it.

The origin of Barataria was asked and answered according to various theories of those present who had considered the subject.

A hearty protest was voiced against the demolition of the old Ursuline Convent, which according to general rumor was impending, in order to make room for a needed school house. Many indignant speeches were made against what was pronounced an act of barbarism, against the oldest ecclesiastical structure in the South, and one of the most endeared to Louisianians. Measures were proposed to avert the commission of the proposed crime; but in a final resolution the advice of Father Scotti was followed and he was instructed to interview the Arch-Bishop and make such representation

to him as would engage his sympathies on the side of the Historical Society in the matter.

The meeting then adjourned.

Meeting of May 1919.

There was only a fair attendance of members. The President sent his excuses for his enforced absence. Mr. Dymond presided in his place.

After the minutes had been read and approved, the following applicants were elected members of the Society:

Mrs. Lewis Johnson, Mrs. G. Le Gallais, Capt. C. P. Morgan, Mr. S. M. Redman, Mr. Alfred D. Danziger, Mr. J. P. Fossier, Miss Sue K. Gillean, Mrs. R. E. Gardner, Mr. C. N. Tibbits, Mr. Andre Dreux, Miss J. Cambell, Mr. J. Bryson, Miss Caroline Pfaff, Mr. Harry P. Sneed, Mr. Theron H. Tracy, Mr. Robt. J. Palfrey, Mr. Charles Kernion.

The amendment to the Constitution by which the date of meeting was changed from the third to the fourth Tuesday of the month was given a final reading and was passed.

Father Scotti, who had been delegated at the last meeting to interview the Very Rev. Arch-Bishop on the subject of the demolition of the old Ursuline Convent, reported that the Arch-Bishop was disposed to do whatever he could to preserve at least the aspect of the venerable old building in the endeavor to make it useful as a school house.

The Secretary read a communication asking information about the naming of Caldwell Parish, whether the honor of it should be ascribed to the noted citizen of New Orleans, James H. Caldwell or to Captain Caldwell of Ouachita. No one present could answer the question, which the Secretary said she would carry over till next meeting.

Hon. L. E. Thomas, Chairman of the Board of State Affairs, was then introduced with a very complimentary eulogy by Mr. Dymond. He made a short address on taxation in general, before proceeding to the reading of his carefully prepared paper. Treating a subject of vital importance to all citizens, it was listened to with absorbing interest, each point meeting with instant and intelligent comprehension. At the close many questions were asked which Mr. Thomas answered graciously and generously. Mr. Hart made some remarks and Mr. Dymond also in a very spirited addendum drawn from his own practical experience as a taxpayer and a legislator.

Mr. Dart who had come to speak on the Court Records of Colonial Louisiana, made a humorous apology for turning the current of interest in the direction of his subject, which, however as he soon demonstrated had an equal claim on the interest and sympathy of those present. With eloquent words he described the value of the records that were slowly going to destruction in the boxes in which they had been packed for a half century and he pleaded with those present, directing himself particularly to the officer of the State to make an effort to procure from the State a sufficient sum to give them the perpetuity of print.

The address was forcibly impressive.

Mr. Thomas affected by it made a suggestion as to the proper way to effect what, indeed, seemed a pious duty to the State, and to the preservation of its history, for which the Society had worked so indefatigably.

The Society then adjourned.

Meeting of June. 1919.

The Louisiana Historical Society met Tuesday evening, June 24th. The officers were all present but owing to the rain the attendance of members was smaller than usual.

The following names of applicants for membership were received:

Capt. H. L. Ballowe, Judge Porter Parker, Herbert Z. E. Perkins, Mrs. C. M. Eustis, Miss Agalice LeSassier, Miss Georgine LeSassier, Mr. W. W. Messersmith, Mr. J. K. Renaud, Mr. J. L. Ewing, Mr. Oswald Wilson McNeese, Mr. Henry Lanauze, Mr. E. V. Benjamin, Mr. M. Coonie, Patterson, La.; Mr. Edward J. Bobet, Mrs. Edward J. Bobet.

All were duly elected.

The following communication from Gen. A. Booth was read and caused some discussion.

By resolution it was referred to the Executive Committee of the Society.

I'phones { Main 5250 Office of Open to Public Inspection
 Jack 1014 A. B. BOOTH Daily 11 to 1
 Commissioner
 Louisiana Military Records
 216 New Courthouse

New Orleans, La.,

June 24th, 1919.

*The Louisiana Historical Society,
 New Orleans, La.*

Greeting:

Permit me to suggest that you endeavor to get to me person who has the time, talent, and love for historical facts, to compile a HISTORY OF THE PUBLIC PARKS, PLACES, and PLAY-GROUNDS, of the city of New Orleans.

Such a compilation should in EACH CASE be complete from original titles, down to the present date; and should especially give fully all the facts regarding the DONATIONS, or other items of acquirement, as well as the full NAMES and nationality of all DONORS. And should be so complete as to justify publication in pamphlet form.

I also respectfully suggest a similar COMPILATION of a HISTORY OF ALL PUBLIC BUILDINGS, in the city of New Orleans; CITY, STATE, and NATIONAL, together with all MONUMENTS within the city limits.

Such compilations would I think be useful, not only to the people of our city, but would be sought for reference by Libraries, and others interested in Louisiana.

Respectfully yours,
 A. B. BOOTH.

It might be that a corps of volunteers could be found, each of whom would undertake the HISTORY compilation of one, or several items, and in this way divide up, and lighten the task; each contributor being given credit in the authorship. A. B. Booth.

Mr. W. O. Hart presented to the Society a copy of the Extra *Evening Item* of November 11th, 1918, containing announcement of the ending of the War, by the signing of the Armistice by the Germans.

Mr. Hart also presented to the Society for preservation in its archives, the very valuable printed paper of Mrs. Heloise Cruzat on the last Baron de Pontalba, who died in Paris during the early part of 1918.

On Motion of Mr. Hart, Mr. John Fox Martin of Philadelphia, was made an honorary member of the Society.

Capt. H. L. Ballowe, M. C., was then introduced and read a paper on the bombardment of Fort St. Philip taken from La Carriere La Tour's work on the War of 1812. It proved to be of exceedingly great interest, and at its close called forth much interesting talk from the members.

Captain Ballowe was thanked by resolution. President Cusachs promised that the paper would be printed in the next number of the Society's QUARTERLY.

Captain Ballowe urged the members of the Society to visit the two old forts, Jackson and St. Philip promising as a reward a rare historical treat.

Mr. Hart called attention of the Society to the gratifying fact that the plans for the Louisiana monument at Vicksburg was completed, and that in July ground would be broken for its emplacement.

The Society then adjourned.

Meeting of September 1919.

The regular monthly meeting of the Louisiana Historical Society took place on Tuesday, September 16th, at the Cabildo. There was a fine attendance of officers and members.

The minutes of the previous meeting were read and approved with the corrections of Mr. W. O. Hart.

The following were elected members of the Society:

Mr. Albert Weiblein, Mr. P. L. Carriere, Mrs. A. A. Airey, Mr. C. J. Huckabee, Mr. M. R. Newhauser, Mr. W. H. McClendon, Mr. Etienne Chevalier, Mr. R. Emmett Kenedy, Mrs. Virgil Brown.

Miss King proposed the following resolution:

Whereas, That most eminent Prelate and distinguished citizen of the world—Cardinal Mercier,—is at present visiting the United States, purposing to meet people of every section and make a short stay in the principal cities of the country; and having been invited by our Mayor to visit New Orleans and meet the people here:

Resolved, That the Louisiana Historical Society add its invitation to other invitations that have been sent to him from New Orleans expressing their sentiments of reverence and admiration for the most distinguished historical figure in the World War; and most exalted representative of the brave and noble people who heroically threw themselves, as one man, in the path of an overwhelming and ruthless army, and gave up life, property and their dearest possessions, for

the defense of the life, law and liberty of other nations. And that this invitation be conveyed to his Eminence in suitable form, signed by the President of the Society.

It was seconded by numerous voices and adopted by a rising vote.

Mr. Clarence W. Bispham gave the paper of the evening, entitled "*New Orleans a Treasure House for Historians.*"

The author made good the grandiose title, and made a brilliant contribution to the Historical Society that must ever rank as one of the greatest it has ever had the pleasure to receive.

It bears the fruit of careful research and trained scholarship, equaling, if not surpassing, any previous efforts in the same direction by other workers in the Society.

The paper doubtless will be given full publicity, not only by the Society but by all who take a prideful interest in Louisiana or in fact, in American history.

Mr. Bispham was earnestly thanked by vote. Official expressions of regret at his imminent departure from New Orleans and the consequent severing of his ties in the Society was voiced with heartfelt sincerity.

A resolution that an expression of the Society's regard for Mr. Bispham and the work he has performed for it, be conveyed to him in a formal written testimonial, was adopted unanimously.

W. O. Hart, a member of the Society read part of a letter he had received from J. Sanford Saltus, now in Paris on a special mission, Mr. Saltus being remembered as the donor for the Museum of French Art to the Society of the replica of the statue of Joan of Arc now in the Cabildo; in the letter referred to Mr. Saltus said that another replica about the same size as the one given to the Society was made as a present to the Pope and was sent to him many months ago but was entirely lost sight of during the war and was recently discovered in a small village in the north of Italy where it had been left for safe keeping; as soon as it was found Mr. Saltus had sent it to the Pope and from him has received a letter of thanks and acceptance of the gift. Mr. Saltus enclosed the following clipping from a Paris journal:

*Un hommage américain
à Jeanne d'Arc.*

Le président de la République vient de transmettre au cabinet des médailles de la Bibliothèque nationale une médaille en argent qui lui a été adressée par le comité

américain de la statue Jeanne d'Arc, à New York. Cette médaille représente le buste imaginaire de Jeanne d'Arc, avec la légende: "Hommage to the maid of France, 1919."

Outre son mérite artistique, cette médaille américaine offre cette particularité qu'elle a été apportée en France par le capitaine Alcock, qui lui a fait traverser l'Atlantique à bord de son aéroplane.

Le cabinet des médailles, grâce à l'heureuse initiative du président de la République, possède ainsi une médaille qui est la à fois le témoignage de culte que les Américains ont voué à Jeanne d'Arc et le souvenir de la première traversée de l'océan Atlantique par un aéroplane.

Meeting of October. 1919.

The Louisiana Historical Society held its regular monthly meeting on Tuesday, October 28th, at the Cabildo. The attendance was small.

After the minutes were read and approved, the following were elected:

Mr. H. E. Leclers, Mrs. A. P. Kennair, Mrs. Charles Green, Mr. F. A. Godat, Mr. Edward Denham, New Bedford, Mass.; Mr. E. J. McGivney, Mr. R. C. Tullis.

The President explained that Doctor Lemonnier, who had kindly promised to give the paper of the evening, was prevented by illness from attending the meeting of the Society.

He then read the following communication:

"We regret to inform the Society, that Mr. Andre Dreux on account of leaving this city to fix his residence in Chicago, has resigned as a member of the Committee on Archives. This is a great loss to the Society and it now rests with the Chairman, Mr. Henry P. Dart, to name the member who is to replace him. In the name of the Society I wish to express our regret that this change deprives us of Mr. Dreux's talent, and to voice our appreciation of his past services."

In order to fill the program, the President made a contribution of his own, which were an original letter from Gen. Robert E. Lee and one from Gen. Beauregard. Gen. Lee's letter was written after the surrender telling of his accepting a position in Washington University, Va., and expressing the hope that all Southerners accepting the result of the War, would endeavor to conform with

courage to the new conditions, that had resulted to them from defeat.

General Beauregard's letter contained his plan, which he explained fully, for the defense of New Orleans by obstructing the Mississippi river. He deplored that his plans were never adopted and expressed his confidence that it would have been successful against the advance of gunboats upon the river.

Mr. W. O. Hart read some observations on "*Some Monumental Errors*," which in brief refuted the statement published and hitherto believed that the statue of Margaret Haughery, was the first statue to a woman erected in the United States. He had investigated the subject and found that many women in New England, and that two in Alabama, had been thus honored previous to the erection of Margaret's statue. He promised to enlarge his paper, and give a reading of it to the Society.

Mr. Dart as Chairman of the Committee of Archives, who was present, was invited and urged to make a few remarks on the subject of the Archives in the care of the Historical Society. He deplored that the measures taken to get an appropriation from the State for the publication of the old records of the Superior Council, had fallen through; and he feared nothing could be done; there was no legal way for the State to make an appropriation for this purpose.

He then gave a most interesting description of these papers, showing their immense historical value, and made an urgent appeal for an unceasing effort on the part of the members, to insure their publication, which if it could be done, would perpetuate the fame of the Society, in all the future and throughout the land.

He spoke of particular documents, that were contained in the Archives that would throw new light on Louisiana History; and appealed to Miss King to sustain his opinion.

She did this at once, cheerfully and forcefully.

The Society then adjourned.

In accordance with the adopted program of the evening's entertainment Mr. Hart read a short account of the city of Ghent, notable at the present time for its prominence in the terminating events of the World War and always interesting to Americans as the place where the Treaty of Peace was signed after the victory of Chalmette in the war of 1812.

The evening closed with Mr. Cusachs calling upon Mr. Parsons to read a document of more than unusual interest and importance to the members of the Society. This was the original document of the

farewell address of General G. T. Beauregard to his army. It was impressively read and listened to with serious attention.

The Society then adjourned.

GRACE KING.

Meeting of November, 1919.

The regular monthly meeting of the Louisiana Historical Society took place on the evening of Tuesday, November the 20th. There was only a meagre attendance of members, but among those present the Society was pleased to welcome some old friends, who had been absent for some time from the meetings.

The President, on account of a slight accident, was prevented from being present; Mr. Dymond, First Vice-President, replaced him.

The Secretary read the minutes of the last meeting which were approved.

The following named persons were submitted for membership:

Messrs. C. L. Walker, Michel Lelong, I. S. Bellker, I. B. Gribble, R. W. Colomb, The Historical Club of Newcomb College, Mr. and Mrs. Lugano.

All were elected.

Miss King, on behalf of Mrs. A. W. de Roaldes, presented to the Society the facsimile of a letter of Henry IV, King of France, to Francois de Roaldes, famous jurisconsult of the Sixteenth century, and Professor of Law at the Universities of Cahors, Valence, and of Toulouse, an ancestor of the late eminent physician, the husband of Mrs. de Roaldes. Mr. Dymond, on behalf of the Society received the gift with many complimentary expressions and a vote of thanks to Mrs. de Roaldes was moved and passed.

The paper of the evening was kindly read by Mr. O'Sullivan. It was on Fray Antonio de Sedella by the Rev. Clarence Bispham. Part second of his series of studies on the famous priest, whose life and character have been the occasion of so much historical research and argument.

Mr. Bispham's article is based upon documents hitherto unpublished by historians; and drawn from a series of sixteen letters obtained from the Island of Cuba, by Mr. William Beer, Librarian of Howard Memorial Library.

The letters are written by Sedella to the Captain General of the Island of Cuba, telling him of the machinations of Free Lance Americans, Spaniards and Pirates of Barataria, to take Mexico and the two Floridas from Spanish control.

Even with Mr. Bispham's scholarly editing of these letters, the political enigma remains an enigma, and the priest's true status as a citizen of the American Republic can hardly be said to be established to the satisfaction of the curious.

Mr. Bispham proved himself, in this as in other contributions to the Society, a zealous student of Louisiana History, and a careful and considerate literary critic.

Mr. Dymond made a few remarks praising the paper and its author with hearty sincerity, and making the suggestion that some other members of the Society should continue the investigation, reviewing all that Mr. Bispham had done, and adding further light on the problematical subject.

Mr. Bispham and Mr. O'Sullivan were thanked by the Society.

Mr. Hart in a few appropriate remarks, presented to the Society a unique and valuable historical souvenir, brought to him by a gentleman, by the name of Walker, who had discovered it quite accidentally. This was the address by the House of Representatives of Louisiana, dated March 24th, 1831, to the people of France, on the occasion of their victory, after their three days of revolution—27th, 28th, 29th of July, and the overthrow of despotism. The address signed by the committee appointed to write it, bore the signatures of L. Allard, T. C. Nicholls, and Charles Gayarré. Mr. Wm. C. C. Claiborne, son of the Governor was charged with the mission of carrying the address to France, which he did. The address printed on rich white satin, in default of vellum,—handsomely embellished, is to be framed and preserved with other precious historical souvenirs in the Cabildo.

Mr. Hart read a translation of the address, which he had thoughtfully provided himself with.

He also read a note from Mr. Frederick D. King, Jr., in regard to an old unknown cemetery at the mouth of the Tangipahoa River, one of the tombstones bearing the date of 1809. It was proposed and decided that the President of the Society appoint a committee to investigate the history of the cemetery.

The Society heard with pleasure from Mr. Hart, that its good friend, Mr. J. Sanford Saltus, had been further honored by the French government, by being promoted from "Chevalier" to officer of the Legion of Honor.

The Society then adjourned.

LOUISIANA HISTORICAL SOCIETY**Account of the Treasurer for 1919.**

January 1st, 1919—Cash on hand.	\$	224.68
January Receipts.	\$	44.00
February ".		210.75
May ".		2.00
June ".		579.75
July ".		32.00
August ".		4.00
September ".		13.90
October ".		4.00
November ".		11.00
December ".		7.90
		909.30
Grand Total Cash.		\$1,133.98

DISBURSEMENTS

January.	\$	105.05
February.		65.13
March.		91.60
April.		108.23
May.		154.70
June.		44.75
July.		63.05
August.		113.15
September.		57.30
October.		77.09
November.		70.30
December.		103.43
		\$1,049.72
Balance cash on hand, Dec. 31, 1919.		\$ 84.20

Minutes of the Meeting Held in the Cabildo,**Tuesday, February 24th, 1920.**

The monthly meeting of the Louisiana Historical Society was held this evening at eight o'clock in the Sala Capitular, the Cabildo. President Gaspar Cusachs, occupying the chair.

Mr. Bussiere Rouen was asked by the President to act as Recording Secretary in the absence of Miss Grace King. The minutes of the preceding meeting were not read on account of the said absence.

Notwithstanding the inclemency of the weather, the attendance was fair.

The President having stated that the order of the day demanded the election of officers of the Society for the ensuing year, Mr. George Koppel moved that said election be proceeded with; seconded and carried; he then moved that the present incumbents be re-elected, (seconded and unanimously carried). General A. B. Booth putting the motion to a vote; therefore the following officers were declared elected, viz:

Mr. Gaspar Cusachs.....	President
Hon. John Dymond, Sr.....	First Vice-President
Mr. Bussiere Rouen.....	Second Vice-President
Hon. Henry Renshaw.....	Third Vice-President
Miss Grace King.....	Recording Secretary
Mrs. Heloise Hulse Cruzat.....	Corresponding Secretary and Librarian
Mr. William O. Hart.....	Treasurer

Mr. George Koppel, Chairman of the Membership Committee, read the names of several applicants for membership and moved their election as active members; which motion was seconded and carried, the following parties being elected:

Mr. Benjamin Crump, Jr., Mr. Edouard Carrere, Mr. Josiah Gross, Mr. Cicero A. Ramsey, Mr. H. C. Chaplain, Prof. Jas. B. Kendeall; Dr. W. A. Turner, Shreveport, La.; Mrs. John Watt, Mr. Jos. E. Loeb, Mr. Joseph E. Blum, Mr. G. F. Baldwin, Mr. Harry W. Fitzpatrick, Mrs. Sallie Hunter Hertzog, Derby, La.; Miss Clara Wagley, Florian, La.; Miss Virginia Dorman, Natchitoches, La.; Mr. M. Clay Lejeune, Mr. John D. Nix, Jr., Mr. H. C. Schaumberg, Mr. Milo Blanchard Williams; Mr. G. T. Beauregard, Massachusetts Ave., Washington, D. C.; Mr. John Kracke, Mr. A. L. Kimber, Mr. George L. Carriere, Mr. Samuel Weil; Mr. J. St. Clair Favrot, Baton Rouge, La.; Mr. Henry W. Robinson.

Mr. William O. Hart, Treasurer, then read his report for the year 1919 showing total receipts amounting to..... \$ 909.30
Previous cash balance..... 224.68

Disbursements amounting to.....	\$ 1,133.98
	1,049.72
Balance on hand December 31, 1919.....	\$ 84.26

Mr. William O. Hart then offered the following resolution which was unanimously adopted:

"Whereas, an all-wise Providence has seen proper in His infinite wisdom, to remove from the scene of his earthly labors, our esteemed friend and fellow-member, Reverend A. Gordon Bakewell, who departed this life on Sunday, February 22nd, full of years and honors,

"THEREFORE BE IT RESOLVED by the Louisiana Historical Society that in the death of Doctor Bakewell, the State of Louisiana has lost a citizen of whom it may be well proud, one who in every walk of life, Soldier, Prelate and otherwise, faithfully performed the duties encumbent upon him, to the glory of his country and his God and the uplift and benefit of his fellow-men; that his more than ninety-seven years of life have been filled with good works and devotion to the people of his adopted State, ever bringing before them the Fatherhood of God and the Brotherhood of man."

"BE IT FURTHER RESOLVED, That this tribute be spread on the minutes of the Society, and copies thereof sent to the family of the deceased and to the newspapers of New Orleans."

Mr. Gaspar Cusachs said he had received a program of the PAGEANT OF AMERICAN HISTORY given in connection with the ANNUAL MEETING AND BALL of the NAVY LEAGUE of the United States, in the New Willard Ball Room, Washington City, February 12, 1920. He stated that he was very happy to note that several prominent Louisianians had taken part in the said pageant and he read from said program the part No. 6 relating to the marriage of the Cassette Girls, Louisiana Group, of which Mrs. Lee Benoit, formerly of New Orleans was the chairman. Mrs. Edward J. Gay and Mrs. George Worthington were vice-chairmen. In the personnel are seen the names of Capt G. T. Beauregard taking the part of Governor Bienville, Miss Elaine Denegre that of Louisiana and other persons well known in New Orleans.

The paper of the evening was read by Mr. Gaspar Cusachs; same being a compilation of articles on the life of the Pirate Lafitte, and also of the controversy on Lafitte's Biography.

At the preceding meeting Mr. Cusachs had read a biographical sketch of Lafitte, taken from DeBow's *Review* (October, 1851). A controversy arose as to the life of Lafitte written by Professor Ingraham before 1851 and Mr. Cusachs thinking that the members who had heard the sketch read at a previous meeting would like to hear the contradictions, he gave Ingraham's letter and BeDow's editorial in the *Review* Vol. XLLL, Page 101.

Mr. Cusachs pointed out the contradictions as he read, and gave very interesting details on the subject.

On motion of Mr. John Dymond, Sr., a vote of appreciation was unanimously given Mr. Cusachs for the careful compilation he had undertaken.

Mr. William Beer spoke of an old physician living in Galveston who had taken charge of, and treated, the survivors of Lafitte's Baratarians; he thought that by communicating with him he might perhaps discover some new questions of interest relating for instance to the death of Lafitte which seems to be clouded in mystery. Mr. Beer also tendered his services to the Society for the purpose of making proper researches on subjects relating to the life of Lafitte.

Mr. John Dymond, Sr., spoke of the men of the time of Lafitte, and made some very interesting remarks about their mentality, their lives and the influence they exercised, especially on certain classes.

Mr. Andre Lafargue, said that he had, at a previous meeting, given some details about the work of Baron Marc de Villiers du Terrage and the several requests which that gentleman had made in relation to its publication in Louisiana, etc., for which purpose a committee had been appointed by the President. He was granted permission to read a letter he had received from the distinguished historian, which he had translated for the benefit of those who did not understand the French language. The letter is as follows:

"January 17th, 1920.

"My dear Friend:-

"As soon as I have been advised of my election as an honorary member of the Louisiana Historical Society I will convey my thanks to the President. I am deeply sensible of the honor thus conferred upon me and it gives me great pleasure. May I ask you to state this to your colleagues without further delay. The entire correspondence of de La Tour (a voluminous one) shows that he did not want to do anything for New Orleans. He was a staunch believer in Mobile and its future. Pauger's correspondence, on the contrary shows how anxious he was that New Orleans should be founded on its present site. In April, 1718, de La Tour had not yet visited New Orleans, feeling that he would be compelled to build a city on the site now occupied by New Orleans and being the chief engineer of the Company, he sent to de Pauger the measurements or dimensions of the street blocks or squares which he had adopted for Mobile; but as he had recommended that New Orleans be built on Bayou St. John at the point where this stream of water becomes navigable, de La

Tour cannot be credited in any way whatever with the drawing of the plan of New Orleans. See my book pp. 88, 89-102, 109.

"On and from July, 1718, de La Tour took charge of operations, but when he arrived there he found that the city had been already mapped out and established on a site which he had not only not selected but which he had consistently been opposed to.

"*Mac de Villeirs du Terrage.*"

Mr. Lafargue stated also that Mr. de Villiers du Terrage had expressed the wish that the Mayor and Common Council of New Orleans be requested to have a street named in honor of de Pauger who was, without doubt, the one who had planned for the founding of New Orleans on its present site; the president concurring in this view, promised to attend to the matter and to appoint a Committee for that purpose.

The meeting adjourned at 9:45 o'clock P. M.

BUSSIERE ROUEN,

Acting Recording Secretary.

Meeting of March. 1920.

The March meeting of the Louisiana Historical Society was held on the evening of the 23rd in the Cabildo. There was a good attendance of members and friends. President Cusachs was in the chair.

The Secretary, Miss Grace King, read the minutes of the last meeting, which were approved.

The following were elected members of the Society:

Messrs. H. W. Robinson, C. H. Patterson, Leon Laguens, B. B. Brumfield, Josiah Gross; Rev. R. W. Turner, Shreveport, La.; Mr. Clarence J. Cocke, Miss Marie Thibierge, Miss Philippe, Mrs. D. C. Scarborough, Natchitoches, La., Mrs. John I. Hulse.

Mr. W. O. Hart in a short graceful speech presented to the Society a copy of two photographs of Capt. James Dinkins, taken in the Confederate uniform.

Capt. Dinkins, who was present, answered Mr. Hart's compliments in kind, paying his tribute to Mr. Hart's father, also a good soldier in the ranks of the Confederacy.

Mr. Hart and Capt. Dinkins were both thanked.

After which Mr. Hart was called upon by the President to give the first paper of the evening, "*A History of the Historical Society.*" It proved a most interesting paper and a valuable record of the Society's past life, and of the work it had accomplished.

It was moved and seconded that a copy of this paper be laid before the next Legislature, in order that the record of the Society's excellent work, be again brought to their attention, with a view to an increased appropriation.

Mr. Hart was thanked by a hearty vote for his good and able contribution.

Mr. Andre Lafargue then read his contribution to the evening's program, a paper entitled "*The New Orleans French Opera House.*" A retrospect memoire of the past, brought up by the smouldering ruins of the historic old edifice.

It was in truth a requiem, filled with the poignant regret of one who loved the old Opera House. In pretty and poetical fancy, he enumerated all the parts played by the destroyed opera house in the past social life of the city, ending with a heart stirring resolution that the well beloved old edifice, should be rebuilt in its same location.

The resolution was lustily adopted by the Society, the President promising to name a Committee to take charge of it.

RESOLUTION

**Adopted by the Louisiana Historical Society at its Meeting
on March ..., 1920.**

Whereas, the destruction of the New Orleans French Opera House by fire, on December 4th, 1919, has removed from our midst a landmark and a building of great historic importance, one that was truly representative of our civic achievements in the world of music, and

Whereas, it is a matter of history and of record that New Orleans has been the first community to introduce French Opera in this country and has thereby acquired great renown and achieved considerable distinction as a musical center in America, and

Whereas, it is a known fact that the French Opera Seasons have drawn to New Orleans music lovers and opera goers from the entire country, and

Whereas, the inhabitants of this city have time and again voiced their approval of the reconstruction of the French Opera House, to serve as its predecessor as a center of culture, refinement and artistic development, and

Whereas, it would be meet and proper to erect another edifice dedicated to opera and to lyric art on the site where the old building formerly stood, and

Whereas, it is within the province of the Louisiana Historical Society to perpetuate the landmarks and historic buildings of this

community and to advocate their reconstruction when same is feasible.

BE IT RESOLVED, That it is the sense of the Louisiana Historical Society that a new Opera House be built on the site of the old one, at the corner of Toulouse and Bourbon Streets and that it pledges itself to lend its full support and hearty endorsement towards the consummation of said plan,

BE IT FURTHER RESOLVED, that in pursuance of the spirit and letter of this resolution the President of the Louisiana Historical Society be authorized to appoint a committee to ascertain what steps, if any, have been taken to reconstruct the Opera House and to report thereon at the next meeting of this Society.

The Society then adjourned.

Meeting of April, 1920.

The Louisiana Historical Society held its regular monthly meeting on the night of Tuesday, April 27th in the Cabildo.

The audience of members was fairly representative. Many new and welcome visitors were to be seen among them.

In the absence of the President, Vice-President Dymond took the chair.

The minutes of the previous meeting were read by the Secretary and were approved.

The following were presented by Mr. George Koppel, Chairman of the membership committee, and were elected members of the Society:

Messrs. Thomas Connell, John McCloskey, T. C. Nicholls, Edward Alba, A. J. Solari, William Johnson, J. L. Bourdette, H. B. Corliss, P. J. Shoen, Geo. Webre, Chas. Chevalier, Dr. P. L. Reiss, Mrs. P. F. Renaud, Mrs. W. A. Porteous, Miss Doris Kent, Messrs. J. A. Morales, Meigs C. Frost.

Mr. E. A. Parsons, being introduced by Mr. Dymond, read the paper of the evening entitled, "*The Latin City*," a charming and scholarly essay on the distinctive personality of various cities, and the qualities to which they owe their place in history, literature, and art. Among such cities, New Orleans, he claimed had been recognized as the one in the U. S. standing preeminently above all others as the bearer and transmitter of Latin civilization, inherited from its founders, and Spanish benefactors. It stood alone as such among her sister cities, and as such, it behooved her children to maintain and preserve her prestige in the future and ensure the continuance of the civilization for which it stands.

The old French Opera House, one of the glorious legacies from the past, was a temple of art, as well as an architectural masterpiece. Its recent destruction by fire was a dire calamity that should not be accepted as final, but rather, according to Mr. Parsons, turned to the good account inherent sometimes in apparent misfortunes by having raised on its ruins a still more beautiful and impressive structure to represent us to future generations. He did not doubt that this would be done.

When the applause of the audience had subsided, Mr. W. O. Hart arose and paid an eloquent tribute to Mr. Parsons for his very scholarly and beautiful paper, which Mr. Hart pronounced the best he had ever heard in the Society.

Col. H. D. Hill being called upon by Mr. Dymond, made a responsive speech strong and fervid, and full of encouragement to lovers of old New Orleans, and its Opera House, arousing an outburst of enthusiasm from the audience.

General Booth and Mr. de Lafargue followed, with appropriate remarks, the latter urging the carrying into effect, the resolution introduced by him at the last meeting, asking the appointment of a committee to take the question of the rebuilding of the Opera House, in charge.

Col. de la Vergne and Mr. Henry Gill added each a few remarks.

The Vice-President thanked Mrs. Henry Gill for the handsome copy of the history of the New Orleans Chapter of the Red Cross, which she presented to the Society.

The meeting then adjourned.

Meeting of May, 1920.

The Louisiana Historical Society held its regular monthly meeting on Tuesday evening, May 25th, at the Cabildo. There was a very scant attendance of members.

The minutes of the previous meeting were read and approved.

The following persons were made members of the Society.

Mr. John McCloskey, Mr. Wm. Thompson, Mr. J. L. Burdette, Mr. Louis Vives, Mr. C. H. Patterson, Dr. J. S. Christian.

The President read a communication from Col. Charles C. Pierce, Chief of Cemeterial Division of the War Department, asking for information or suggestions in behalf of Historian of Graves Registration Service. It was recommended and the Secretary directed to send it to Col. Alison Owen.

Mr. Hart, in the name of Mr. Edward Pickens, presented to the Society the handsome collection of honorary degrees and commis-

sions awarded to our late distinguished member the Hon. Benjamin Morgan Harrod.

Mr. Pickens who made the donation is a nephew of Mr. Harrod. A vote of thanks was passed and the Secretary was instructed to forward them, in the name of the Society, to Mr. Pickens.

A pretty souvenir from the Society's friend, Mr. Saltus, who is in Europe, was given to the Society by Mr. Hart.

The first paper on the Historical Program for the evening, was a translation of private dispatch No. 21 from Esteban Miro to Don Antonio Valdes, dated June 15th, 1788, taken from the Pontalba group of documents belonging to the Historical Society. The dispatch covered the very important period of the threatened revolt of the Western States against the Union, and the secret negotiations with the Spanish authorities in Louisiana. It contained a letter from the noted Indian agitator of that time, Alexander McGillivray to Governor O'Neil.

Mr. Rouen kindly replaced Mr. Waguespach, who had promised to read the letter, but was not present.

Col. Hugues de la Vergne read the paper he had prepared on Bienville. It contained so many novel innovations on the history of Louisiana that a brisk discussion arose at its close.

Mr. de la Vergne challenged to cite his authority, for substituting the name *Herville* for *Iberville*, gave Larousse, which provoked a comparison between him and the world-wide accepted authority on Louisiana Colonial History, Pierre Margry.

The majority of members present expressed the opinion that Margry was the more creditable historian.

Miss King read a note from her History of Bienville, to sustain her point against LaRousse, that Sauvole, called the first Governor of Louisiana, was not a brother of Iberville and Bienville.

After an animated discussion the Society was adjourned.

GRACE KING, Secretary.



ADRESSE

*de la Chambre des Representans de l'Etat de la Louisiane
Au peuple Francais.*

Le Comité de la Chambre, charge de rédiger une ADRESSE au peuple français sur la glorieuse révolution qui à changé dernièrement ses destinées, vous soumet respectueusement le rapport suivant: *“Peuple Francais”*:

La Louisiane qui te doit son origine, te salue et t'adresse avec une admiration profonde, ses vives félicitations sur cette glorieuse révolution qui vient de placer la liberté sur le trone qu'occupait le Despotisme.

A la nouvelle de la grande victoire, l'Amérique à tressailli d'allégresse; mais, c'est surtout dans notre vaste république que l'enthousiasme le plus pur et le ardent à enflammé tous les coeurs L'ancienne alliée, la fidèle amie des Etats-Unis avait enfin reconquis sa gloire! A la vue de la noble France, parée de ses couleurs nationales, s'élançant sur l'antique piedestal de ses droits, en foulant du pied la tyrannie et déchirant sa livrée gothique, puis calme et fière, avec l'attitude de trente ans de victoire, levant sa tête majestueuse vers le ciel, comme pour lui offrir le spectacle sublime de sa régénération le Peuple Américain sa'est levé tout entier pour la saluer de ses acclamations.

Le vieux drapeau tricolore, le drapeau des souvenirs, le drapeau des espérances, flotta dans toutes les villes américaines: il leur annonçait que la religion de la liberté était devenue commune aux deux peuples, et que l'affranchissement du monde avait commence. Le monde, en effet, pourrait-il rester esclave, lorsque, pour son salut, la liberté à allumé son phare au sommet du capitole et des palais constitutionnels de la France.

Peuple Francais: La joie de ton triomphe, unanime dans notre grande famille américaine, fut cependant plus fortement sentie et exprimée à la Louisiane. Oui, il y à de l'echo à la Louisiane lorsque la France pousse un cri de gloire où de douleur. Nous le savons; la France à toujours suivi avec un regard d'amour le développement de la prospérité de la Louisiane. Lorsqu'elle fut obligée de s'en détacher, elle la céda à la nation qui en était le plus digne, et elle éprouva sans doute un sentiment d'orgueil, lorsqu'une ancienne colonie française s'éleva à la dignité d'un Etat Sourverain, et orna son jeune front du signe de son rang et de sa puissance, l'Etoile Américaine. Libres, indépendants, heureux, les Louisianais rougis-

saient de l'esclavage et déploraient les infortunes de la nation à laquelle leurs ancêtres avaient appartenu, et dont ils ont retenu les moeurs et le langage. *Peuple Francais*: lorsque nous avons connu les fatales ordonnances, nous avons frémi' lorsque la merveilleuse création des trois jours nous est apparue, nous t'avons admiré, et nous t'avons rendu des actions de graces au nom du genre humain. La raison calme, la tranquille sagesse qui à succédé au désordre, à redoublé cette admiration. Permet que nous t'adressions ces témoignages de notre sympathetic et ces expressions de l'estime que nous à inspiré ta conduite magnanime qui te proclame à jamais digne du titre de la *Grand Nation*.

Peuple Francais: Nous honorons ces balles citoyennes et ces pavés patriotiques qui ont anéanti un pouvoir parricide; nous honorons cette mitraille populaire qu'a fournie l'arsenal de Paris. Gloire à la courageuse et civique adolescence des élèves de l'Ecole Polytechnique, des Ecoles de Droit et de Médecine. Gloire à la Garde Nationale gloire à ces enfants héros, à ces jeunes généraux des Barricades. Gloire à toute la population parisienne, de tous les ages et de tous les sexes; gloire à toute la France qui se dit et se fit libre avec la rapidité d'un mouvement électrique.

Nous chérissons et nous vénérons la mémoire des martyrs de la liberté qui sont tombés dans les trois journées. Mais nous ne plaignons pas leur sort, car ils sont immortels. Le sang versé sur l'autel de la patrie, n'est-il pas en effet la plus glorieuse des apothéoses?

Salut et honneur au ROI CITOYEN que la raison publique à couronné, et qui à juré que la *Liberte Francaise* serait désormais *une verite*. Nous faisons des voeux pour le soldat, de Jemmapes, qui s'est plu à reconnaître et qui n'oubliera pas que sa majesté royale est une émanation de celle du peuple.

Nous nous inclinons avec amour, avec vénération, devant les héros des deux mondes, devant notre Lafayette, devant le Washington de la France: sa renommée est le patrimoine de deux nations; son nom l'espoir des peuples; sa gloire brillante des trois couleurs de la liberté, semble s'être courbée sur le monde en cercle radieux, et s'être appuyée sur l'Amérique et la France. Le despotisme va fuir devant ce signe précurseur de la régénération de l'univers.

Peuple Francais: Les félicitations que nous t'adressons sont sorties de nos coeurs. Puissions-nous bientôt en offrir de pareilles aux autres nations de la terre. L'Homme du Destin l'a dit: 'Une révolution en France est une révolution en Europe.' La liberté va

donc commencer sa marche triomphale autour du globe, et nous espérons que s'il le faut, un char français portera la divinité.

Signé: L. Allard,

T. C. Nicholls,

Charles Gayarré,

Rapporteur du Comité.

Résolu par la Chambre des Représentans de l'Etat de la Louisiane. Que cette Chambre adopte l'adresse présentée par le Comité chargé d'en rédiger une au Peuple Français, le félicitant sur sa glorieuse révolution des 27, 28 et 29 Juillet dernier.

Résolu de Plus, Que le Président de la Chambre des Représentans soit invité à faire imprimer, sur papier velin, l'adresse et les présentes *Résolution*, et à les faire parvenir à l'Ambassadeur des Etats Unis auprès du gouvernement de France, pour être par lui présentées à la Chambre des Députés.

Et il est de Plus Résolu, que la Chambre des Représentans verrait avec le plus grand plaisir que Mr. Wm. C. C. Claiborne fut chargé de porter *l'Adresse* et les Resolutions.

Signé: A. Mouton,

President de la Chambre des Représentans.

A. Pitot, *Secrétaire*,

Nouvelle Orléans, 24 Mars, 1831.

SIGNATURES:

West Feliciana

Robert Haile
Joseph Bernard

Assumption

Joseph Lalande
Jean Materre

Lafayette

Joseph Bernard
Alexander Mouton

Lafourche

R. P. Bowie
A. B. Thibodeaux
James Porter

Paroisse d'Orleans

Louis Allard
Charles Gayarré
W. C. C. Claiborne
Pierre Landreaux
Stephen Mazureau
James Workman
J. P. Freret
Représentans.

St. Landry

John Moore
Stephen W. Wikoff
Cyprien Dupré

St. Jacques

John Watkins
R. C. Nicholas

Ste Hélène

W. L. Breed
Samuel Leonard

East Baton Rouge

Alex. E. McConnell
Montgomery Sloan

<i>Nachitoches</i>	<i>Jefferson</i>	<i>Ste Marie</i>
John R. Dunn	Noel B. Le Breton	John Wilkinson
Ambrose Le Compte		
<i>St. Tammany</i>	<i>St. Bernard</i>	<i>Iberville</i>
Daniel Edwards	J. Marcel Ducros	William B. Robertson
<i>East Feliciana</i>	<i>Ascension</i>	<i>Catahoula</i>
R. Brown	Thomas G. Nicholls	J. M. B. Thompson
L. Saunders		
<i>Concorde</i>	<i>Ouachita</i>	George W. Wagggaman
Hugh M. Coffey	H. P. Morancy	<i>Secretary of State.</i>
<i>Rapides</i>	<i>Plaquemine</i>	<i>St. Charles</i>
Francis A. Bynum	George W. Johnson	Alcee La Branche
Sosthene A. Baillio		
<i>St. Mary</i>	<i>St. Jean Baptiste</i>	<i>Terrebonne</i>
A. D. Bienvenu	Pierre E. Doumeing	Leandre B. Thibodeaux
<i>West Baton Rouge</i>	<i>Washington</i>	<i>Pointe Coupee</i>
Alexdr. Williams	Benj. Richardson	Alphonse Robin
<i>Aroyelles</i>	<i>Claiborne</i>	A. B. ROMAN,
William Voorhies	Jas. Dyer	<i>Governor of the State of Louisiana.</i>

ADDRESS

*By the House of Representatives of the State of Louisiana
to the People of France.*

The Committee of the House appointed to draw up an address to the people of France on the glorious Revolution which has lately changed its destinies respectfully submits to you the following report:

“People of France:

“Louisiana who owes you her origin, salutes you and addresses you with a profound admiration her ardent congratulations upon this glorious *revolution* which has just placed *liberty* upon the throne lately held by *despotism*.

“Upon receipt of the news of the grand victory, America was thrilled with rapture; but it is principally in our own vast republic that the purest and most ardent enthusiasm has fired all hearts.

The ancient ally, the faithful friend of the United States, had at last conquered anew its glory. In the presence of noble France, arrayed in its national colors, leaping upon the ancient pedestal of her rights, trampling tyranny under foot, and rending her gothic livery; then calm and proud, with the attitude of thirty years of glory, lifting its majestic head towards heaven, as if to offer to it the sublime spectacle of its regeneration, the people of America rose as a body to salute her with their acclamations. The old tricolored flag, the flag of old memories, the flag of hopes waved in all the cities of America; it proclaimed that the religion of liberty had become common to both countries, and that the emancipation of the world had commenced. Could the world, in truth, remain in bondage, when for its redemption, Liberty had kindled its beacon upon the summit of the Capitol and of the Constitutional Palaces of France?

"People of France: the exultation of your triumph, unanimous in our great American family, was yet more strongly felt and expressed in Louisiana. Yes, there is an echo in Louisiana when France utters a cry of glory or of suffering. We know it: France has always followed with a look of love the development of the prosperity of Louisiana. When she was compelled to part with her, she ceded her to the nation which was the most worthy of it, and she no doubt experienced a feeling of pride, when a former French colony was elevated to the dignity of a Sovereign State and adorned its youthful brow with the emblem of its rank and of its power, the American Star. Free, independent, happy Louisianians blushed at the bondage and deplored the misfortunes of the nation to which their ancestors had belonged, and of which they had retained the manners and the language. People of France: when we became acquainted with the fatal ordinances, we shuddered. When the wonderful creation of the three days appeared to us, we admired you and we tendered you thanksgivings in the name of mankind. Calm reason and tranquil wisdom which succeeded to disorder have doubled this admiration. Permit us to offer you these evidences of our sympathy and these expressions of the esteem with which your magnanimous conduct has inspired us, which proclaim you forever worthy of the title of 'the Great Nation.'

"People of France: we honor these civic balls and these patriotic pavements which have annihilated a parricidal authority: we admire this popular grape-shot furnished by the Arsenal of Paris. Glory to the courageous and civic adolescne of the students of the Polytechnic School, of the School of Law and of Medicine. Glory to the national guard, glory to these children heroes, to these young generals

of the barricades. Glory to the population of Paris, of all ages and of all sexes; glory to all France which proclaimed *herself* and made free with the rapidity of an electrical movement!

"We cherish and we venerate the memory of the martyrs of liberty who have fallen in those three days. But we do not pity their fate for they are immortal. Is not, in truth, blood found upon the altar of patriotism the most glorious of all apotheosis?

"All hail and honor to the Citizen King whom public reason has crowned, and who has sworn that French Liberty would hereafter be a truth. We form wishes for the soldier of Jemmapes, who was pleased to acknowledge, and who will not forget, that his royal majesty is an emanation of that of the people.

"We bow with love with veneration, before the heroes of both worlds, before our Lafayette, before the Washington of France; his fame is the birthright of two nations; his name the hope of nations; his glory shining with the three colors of liberty, seems to have encompassed the world with a radiant circle, resting upon America and upon France. Despotism will flee before this sign, the harbinger of the regeneration of the Universe.

"People of France: the congratulations which we address to you have emanated from our hearts. May we soon offer similar ones to the other nations of the earth. The man of Destiny said it: 'A revolution in France is a revolution in Europe.' Liberty is about therefore to commence its triumphant march around the globe, and we hope, if it must be, that a French chariot will bear the Divinity.

Signed: "L. Allard

"T. C. Nicholls,

"Charles Gayarré

"*Reporters of the Committee.*"

"Resolved by the House of Representatives of the State of Louisiana, That this House adopt the address presented by the Committee appointed to draw up one to the People of France, congratulating them upon this glorious revolution of the 27, 28 and 29 of July last.

"Resolved further, That the President of the House of Representatives be invited to cause to be printed, upon velum paper, the address and the present Resolutions, and to cause them to be delivered to the Ambassador of the United States, at the government of France, to be by him presented to the Chamber of Deputies;

"Be it further resolved, That the House of Representatives would take the greatest pleasure in knowing that Mr. Wm. C. C.

Claiborne was intrusted with carrying the address and the resolutions.

Signed: "A. MOUTON,
"President of the House of Representatives.

"A. PITOT, *Secretary,*
"New Orleans, March 24, 1831."



RECORDS OF THE SUPERIOR COUNCIL
OF LOUISIANA. X.

Decisions in Civil Suits.

April 7, 1726.

1. Larchevesque *vs.* Cauterelle. Seizure waived, and plaintiff may have recourse to Légras. Costs on Larchevesque.
2. Dame Marie Alorge *vs.* Cariton C. in default and claim allowed.

Court Order for Inventory. April 9, 1726. After formalities of electing a guardian (Mr. Delery) and surrogate guardian (Mr. Rivart) for the minor children of late Hippolyte Mercier, it is provided that an inventory of joint property be prepared. Madame Mercier was widow of Surgeon Valetin Barreau, of Mobile.

Memorandum of Account. April 10, 1726. Statement of account between Duverney grant and a hired man Estienne Milon, from April 1, 1723 to April 1, 1726. First two years yielded his living, but no purplus wages; third year availed him wage rate of 60 francs. His net balance credit, 65 francs. (He had also furnished an item of two shirts and bought a few goods).

Petition for Discharge and Settlement of Account. April 15, 1726. Estienne Milon submits the foregoing statement and moves for his due discharge, his time being fulfilled. Let Mr. De Pertouil be ordered to grant the discharge and settle account.

Action allowed.

Petition for Arbitration. April 15, 1726. *Sieur Jaurequibery alias* St. Martin recalls his suit against *Ceard* and others, dating back to January 4, 1724, and provisionally adjudged on October 21, 1725. To meet the opposite parties half way, petitioner is willing to arbitrate.

Council notifies Mr. Massy to appear and name a referee, or hear one named; in default, judgment will be executed against him.

Mutilated and charred.

Decisions in Civil Suits.

April 16, 1726.

1. Francois Lemesle *alias* Bellegrarde *vs.* De Verteuil. DeV. to pay, plus costs.
2. Dauvillier *vs.* Claifontaine. C. in default, must pay.
3. De Nolan *vs.* Grumelin. Referred to Mr. Brusle. Costs reserved.
4. St. Martin *vs.* Massy. Still pending.

Filed No. 194.

Petition of Recovery. April 17, 1726. Jean Ospistel (so signed; also given Hospistel) was employed by Caron, baker, but lacked work by reason of the dearth of flour now prevalent. *Jean* has next thought of going to Illinois, and would accordingly collect his wages; 118 francs, 10 sous. He reminds the Council that "the divine laws are very explicit thereon, when it is said that the laborer is to be paid his day's work before the sum be couched." He hopes, too, that the Councillors will move him to address his vows to heaven for their health and prosperity.

(*Red ink* revisions apparently by Attorney General.)
Action granted.

Promissory Note. April 18, 1726. *De Nolan* owes Mr. Love, English tailor, 140 francs, and promises to remit on arriving at Mobile.

Petition of Recovery. April 20, 1726. Nicolas Rousseau, settler at Natchez, is bearer of two notes; one for 300 francs, dated 28 April, 1723; the other for 100 francs, 8 May, 1723, or total 400 francs, due by deceased *Langavin*, whose sole legatee is *Sieur Bergeron*, of N. O. Debt represents value received in provisions. Let Mr. B. settle promptly, so as not to delay petitioner's return to Natchez.

Mr. B. cited for "Saturday next."

Petition to Sell Molested Land. April 24, 1726. Joseph Baillif bought some land "below the great desert," and is much disturbed by his *savage* neighbors. To avoid disputes with their tribe, he desires to sell and pay for another property which he has already bought.

Council permits him to sell, without assuming responsibility for consequences on his side. (March 24, 1727.)

Petition of Recovery. April 25, 1726. Jean Baptiste Faucon Du-manoir moves to collect 800 francs in copper specie from *Sieur Meynard*, due on his note of 28 August, 1725.

Action granted.

Decision in Suit of Recovery. April 27, 1726. *Estienne Milon vs. De Verteuil.* De V. in default. He shall pay the claim, 65 francs and 7 sous, plus costs.

Notice served on May 4, and again on May 23.

Petition of Recovery. April 30, 1726. Recorder Rossard moves for citation of Mr. De Cordetz D'Arbonne with a view to collecting a total amount of 1250 francs on four protested letters of exchange drawn by D'Arbonne at given dates, against Madame his mother in Paris.

Action instituted. Postscript by De Cordetz Darbonne May 2, 1726, stating that he concurs with what sentence the Council may deem fit.

Duplicate. (Postscript occurs on *copy*.)

Testimony on "Life and Morals." May 8, 1726. Witnesses J. B. de Chavannes, Secretary to Council of *La. Regie*, and J. B. Prevost, first Colonial Bookkeeper, give good report of "Mr. Pratt, doctor in medicine," candidate for office of Superior Councillor, and bearing credentials from the King, dated December 11, 1725. Man of regular habits, approved honesty, practical Catholic (Mr. Prevost has seen him "making several acts of Catholicity.") On this evidence, coupled with a certificate by R. P. Raphael, V. G. the Attorney General orders the admission of Dr. Prat to Superior Council, after the usual oath of office.

Family Affair in Desfontaines Estate. May 8, 1726. Attorney General Fleuriau presents the case of Mr. Desfontaines' minor daughter, whom it is proposed to send over to Brittany for education. It would be too long to wait for the slow settlement of her late father's accounts with LeBlanc land grant; let her expenses be met in advance, and also a debt of 262 francs to Mr. Bonnaud, who will then release a deposit of 6 Louisd'or, gold earrings and gold ring. The family silver seal, engraved with Desfontaines arms, is with Attorney General. Director De Pauger agrees to proposed arrangement, covering the daughter's traveling expenses from Lorient to destination, but without prejudice to rights of LeBlanc grant. She was to cross the seas in the care of Mr. Fougues of Port Louis.

Decisions in Civil Suits.

May 10, 1726.

1. St. Martin *vs.* Massy. Adjourned. Costs reserved.
2. Cancelled.
3. Dumanoir *vs.* Meynard. Claim allowed and payable in three months.
4. Rossard *vs.* D'arbonne, claim to be paid, plus costs.
5. Ceard *vs.* Massy. Dismissed. Costs divided.
6. Auction of D— house. Highest bid appears to be 560 francs by *Caron*. *Scrawl* thereafter.

Filed No. 196.

Receipt of Passage Money. May 11, 1726. Treasurer Bru has received from the hands of Mr. Rossard 100 francs for passage of Mademoiselle Desfontaines to France by the vessel *L'Aurora* and will tender the same.

Petition to Recover Value of Dugout. May 13, 1726. Estienne Beaucour, hunter, moves to collect 100 francs from the son of Bonhomme Visse, in compensation for a dugout "pirated" from Bayou St. Jean and brought back by said party in a plight of unfitness for further use. Chain and padlock were broken, and "find themselves lost." Notice served.

Petition for Board Allowance. May 14, 1726. *Bourbeau* requests board money for the account of Mademoiselle Desfontaines, whom he has maintained at his house these six months past. He claims 20 francs a month, unless the Council will pay him still more.

The Attorney General orders account charged among privileged debts, but not above 200 francs a year for a minor. Receipt by Bourbeau, 123 francs 13 sous, for eight months' board.

Petition to Seize Dugout. May 24, 1726. Estienne Millon, orphan, has recourse to the "Integrity of the Councillors' justice," now that Mr. De Verteuil refuses to satisfy Court sentences in plaintiff's favor. Let Estienne seize a dugout about starting for Bayagoulas, with goods therein.

"Permitted to seize at risks and fortunes of the petitioner." Signed: Brusle.

Petition to Recover Heifer. May 28, 1726. St. Martin (Jaurequibery) tells a stuffy tale on account of a cow claim. The late Beauvis owed him 97 francs, payable in Spanish currency as shown by note of May 11, 1722. But B. then directed Mr. Arnaud, to furnish a heifer to St. M. in commutation. Other claims arose and no satisfaction has ensued for St. M. Let such be now rendered. (Some tangled particulars of the estate affairs.)

Attorney General orders delivery of given heifer to St. M.

Decision Between St. Martin and Massy. May 28, 1726. Massy shall pay interest on 6140 francs at rate of 5% yearly, from date of protest until past April 12, when plaintiff took back the negroes whom he had sold.

Auction of a certain house reported put off.
Filed No. 197.

Petition to Collect Pew Rent. May 29, 1726. Councillor Brusle calls for citation of those owing pew rents in this parish. Notice served on Mr. Bernaudy, charged 60 francs for one year; and on Cariton, tailor, charged 54 francs for 9 months at 6 francs a month.

Memorandum of Deposit. June 1, 1726. Undersigned *Bardie*, *Jan Louis* and *Daquin* certify that they consigned to Mr. Menar two guns, and a pocket pistol on behalf of Mr. Tronquidy.

Report on Damage by Cattle. June 2, 1726. On request of Mr. Rivard, the undersigned Trudeau, Dubuisson, and Bouche (who makes his mark) certify that they betook themselves to Gentilly to estimate the damages done to Mr. Sabagny's enclosure by Rivard's cattle. They size the loss at 8 pecks of beans, 8 pecks of peas, a quarter of "marsh beans" (a small sort; gourgane) two quarters of wheat, six barrels of sweet potatoes, two barrels *ditto* from retarding of the vines. a peach tree of two years (rated equivalent to six peach trees of one year). Viewers recommend the like restitution at next crop.

Petition for Fixing Damages. June 3, 1726. Mr. Rivard shows that in spite of his precautions some of his cattle invaded the fields of Sieur Sabagnier. Since the latter is a troublesome party, let him be cited to ratify the report of damages already prepared, so that Mr. R. can settle on definite terms at next crop.

Approved, and notice served.

Duplicated.

Petition of Recovery. June 3, 1726. Delarenaudais seeks to collect residue sum of 17 francs from Bouette, due on a note. Let the claim be paid from proceeds of Bouette's work for the Company at the Hospital.

(Bouette is a joiner).

Action allowed.

Petition to Cite Witnesses. June 4, 1726. *Soubaigne*, settler at Chantilly, is distrustful of *Rivard's* proceedings on the damage score, and asks leave to cite the parties best cognizant of the havoc wrought by "the quantity of 34 beasts." all belonging to Lavigne (*alias* of Rivard.)

Notice served on *Joseph, Langevin, Sanson* and *Casseborgue*. (The two latter are styled Germans.) Reference to damaged corn, white beans, peas, leeks, beans, pumpkins, melons, onions, peaches, figs.

Petition of Recovery. June 6, 1726. *Langlois*, tailor, claims 26 francs from Cadot, for a coat. Let bill be collected from Cadot's credit with *Joly*, brewer with *Mr. De La Garde*. Action granted, and Cadot notified of seizure in question. He remonstrates that he has duly deposited 18 francs in Recorder's office; enough to square the account in present

statues. Money shall be tendered on condition of peaceable satisfaction on the part of Madame L.

Receipt. June 6, 1726. Mr. Rossard acknowledges item of 18 francs, tendered by Cadot, for transmission to Langlois, tailor.

Sheriff Vincent, on serving notice to Langlois, adds a warning for Madame Langlois to desist from her daily "invectives" at Cadot.

Report on Damage by Cattle. June 6, 1726. Undersigned D—— and Dumas have inspected Soubaigny's plantation, and find it incredible that so *many* cattle broke in. They saw two cows, one recently calved, but scarcely any trace of damage; a few beanstalks overturned, with beans already ripe.

Attachment of Goods. June 6, 1726. Sheriff Vincent distrains funds in the hands of Joly, brewer, to the extent of 26 francs, as claimed by Langlois.

Decision Between Lavigne and Soubagne. June 6, 1726. Council appears to sanction the report of Soubagne's viewers, and orders Lavigne (Rivard) to supply 1450 sweet potato settings to S. at next crop. There is further mention of 2000 sweet potato settlings, but so scrawled as to leave common intelligence uncertain of the connection.

Filed No. 198.

Petition of Recovery. June 8, 1726. Undersigned *Fillart* claims a residue debt of 88 francs from Joseph Amelot, due on his note of past December 10.

Action allowed.

Petition to Recover Damages. June 8, 1726. De Chavannes, Secretary of Council, reports that *Frere* Malon's cows have twice trespassed on his plantation, causing no small damage. He asks 20 francs for the first intrusion, 12 francs for the second.

Action granted.

Petition of Recovery. June 8, 1726. De Tronquidy moves for citation of Sieur Meynard, with reference to fulfilling his contract of supplying 60 fowls to petitioner; or else let him return certain guns and a pocket pistol, left with him on deposit.

Action allowed.

Decision Between Duplessis and Ceard. June 6, 1726. Defendant shall satisfy claim and pay costs.

Petition of Recovery. June 11, 1726. *Lawrans Bonneau*, journeyman, claims 57 francs from Thomas de Seveilly (also given *Sertily*) due on his note of past March 26.

Action allowed.

Decisions in Civil Suits.

June 12, 1726.

1. Cancelled.
2. De Tronquidy *vs.* Meynard. Out of Court. Costs divided.
3. Dela Renaudais *vs.* Bouette. B. in default; must pay.
4. Fillart *vs.* Amelot. A. in default; must pay.
5. Langlois *vs.* Cadot. C. in default; must pay.

26 Francs; distress found correct. Some compromise provisos follow in the hand of *scrawl*. Costs divided.

Filed No. 200.

Petition of Recovery. June 16, 1726. Delaire claims 30 francs from Caron, baker, due on his note of December 3, 1719.

Action allowed.

Petition to Summon. June 22, 1726. Antoine Love, *alias* Langlois, has been opposed by Cadot as regards execution of Court ruling dated June 12. Let C. be cited to "deduce his reasons" and to pay what he owes.

Notice served on C.

(Name *Love* was probably Lowe; written elsewhere *Loue*.)

Petition of Recovery. July 1, 1726. *Flourance Douvillier* moves for summons of *Sieur Gaulas*, security of Mr. Claifontaine for an overdue note of 35 Spanish dollars; and let the debt be further secured by attachment of Mr. Claifontaine's salary, if the Council will so approve.

Notice served on Mr. Gaulas.

Testimony on Missing Attendant. July 1, 1726. Examination of witnesses Jacques Francois Jacquet Jacques Rozier, Rodolphe Guillaume, who know simply that the missing Francois Monager went to the Lake to hunt, about New Year's day. No news of him since. (Monager is here described as *Surgeon* of Swiss Company. *Frater* seems ordinarily applied in familiar vein to surgeon's or barber's attendant); David Bignon, a fourth witness (apparently signing David Billon) testifies to like effect.

Filed No. 201.

Summons to Testify. July 1, 1726. Sheriff Vincent notifies sundry parties to appear and give evidence concerning the absence of Francois Monager, Swiss Company's attendant ("frater.")

Petition of Recovery. July 3, 1726. Officer Marest de Latour moves to collect a residue debt from Coupart, due on a note of past March 12.

Action forward.

Certificate of Last Wishes. July 6, 1726. Undersigned De La Goublaye, Pellerin, Michel Jacob, Broy, certify that they are aware and heard it said by Gaujoux, Company's employe, that if he died in this Colony he meant to leave whatever he had with him to Mr. Clerfontaine, in token of personal friendhsip and as *gift* of course.

Petition to Inherit. July 6, 1726. Clairfontaine seeks possession of the goods intended for him by the late Gaujoux. July 10, 1726. Referred to Attorney General, who rejects the claim as void, because the deceased knew how to write, and a notary was accessible. Goods shall go to pay debts; and surplus, if any, to the treasury.

Petition of Recovery. July 6, 1726. Francois Duval claims 750 francs from *Sieur* Bian, due on a house at Fort Louis, Biloxi, which F. D. sold to B., as shown by B.'s note of June 1, 1722.

Action forward.

Summons and Answer. July 8, 1726. Sheriff Vincent notifies Cadot to appear in response to demand of Langlois.

Cadot shows that he is prevented to illness. He turns over his papers to Councillor Fazende, and will abide by the latter's report.

Petition of Recovery. July 9, 1726. Antoine Malon claims 177 francs from Duval, goldsmith, and also a silver Marc, as shown by his note of past February 12.

Duval is cited.

Decisions in Civil Suits.

July 9, 1726.

1. Duchesne and —— *vs.* Delery. Duchesne and Hamon are confirmed in possession of given 30 acres. Delery is confirmed in terms of *scrawl*. Costs divided.
2. Duval *vs.* Bian. B. to pay claim and costs.
3. Duval *vs.* Madame Coupart. *Scrawl* shall conduct an auction between *scrawl* and *scrawl*.

Filed No. 202.

Petition for Independant Service. July 9, 1726. Marianne St. Aubin came to this Colony in the understanding that she should be hired by parties De Moran (here given Damaron) and wife at 50 francs a year. Public rumor informs her that D. has hired her, without her consent, to the

Company for 200 francs, which he pocketed. But Marianne did not expect to hire herself to the Company; and neither has a third person the right to hire her against her will. Let the second "contract" be voided, and let Mr. D. refund 200 francs to Company.

Action granted
Ragged edges.

Receipt of Estate Funds. July 10, 1726. R. P. Raphael has received 96 francs from Recorder Rossard for services to the late Mr. DeFontaines and his family. The said sum was thus devised in Mr. De Fontaine's will.

Decision in Civil Suits.

July 11, 1726.

1. St. Aubin *vs.* De Moran. De Moran shall pay her wages for the time while she was employed by him, and *scrawl* adds other provisos. Costs divided.
2. Florence *vs.* Goulas. Default. G. must pay.
3. Gamy (Lariviere) *vs.* Bourbault. Referred to Mr. Fleurion. Costs reserved.
4. Cancelled.
5. Malon *vs.* Duval. D. in default, must pay.
6. Love (Langlois) *vs.* Cadot. Opposition nonsuited.
7. Brusle *vs.* Cariton. C. in default; must pay.

Filed No. 204.—Edge torn.

Petition of Recovery. July 15, 1726. Francois Lemelle *alias* Bellegarde claims a complee debt from Quidort, absent, who is creditor for like amount with Lemere, and has charged one Senet to collect for him. Let Senet be cited to show his order from Quidort.

Court notifies *Lemere* not to pay Senet for Quidort and to appear and report on his actual debt to Lemelle.

Corner torn off.

Petition of Recovery. July 16, 1726. Louis Brouet claims a residue sum of 20 francs from LeBlanc grant, on a pump break which he made subject to orders of Mr. De Pauger. Referred to Attorney General, who allows the claim and orders it paid. (August 3, 1726). (L. B. is a wheelwright.)

Petition of Recovery. July 16, 1726. Denis Fosse, journeyman, claims a residue debt of 118 francs, 4 sous, from Mr. Clairfontaine.

Action forward.
Ragged top.

Petition of Recovery. July 29, 1726. Chauvin De la Freniere delivered to the late Mr. De Pauger 100 boards at 20 sous

each and two barrels of tar at 20 francs each, making total bill 140 francs. Let this amount be collected from estate funds.

Referred to the Attorney General, who allows the claim of boards and orders payment of 100 francs. (August 17, 1726.)

Petition of Recovery. August 1, 1726. Bilard, *alias* Le France, claims 80 francs from one Pitarche, due on his note of past March 27.

Action granted.

Petition of Recovery. August 1, 1726. Undersigned *Prevost*, had bargained with one Jarry, a cook, for a month's diet of five persons, at 200 francs all round; the bargain to date from past June 28 to July 28; Petitioner advanced 127½ francs in funds and victuals; but on July 11, Jarry dropped the subject and will not refund the residue credit. Let Jarry be cited.

Approved and notice served.

Petition of Recovery. August 3, 1726. *Morisset* humbly beseechs and remonstrates on behalf of his claim of 2800 francs for the treasury, against Mr. Clairfontaine, who was duly sentenced to pay, but has not complied, although he has placed upwards of 3000 francs in letters of exchange with Mr. M. by way of security. Let Mr. C. redeem his deposit, or else let the letters of exchange be negotiated in the open market.

Notice served on Mr. C.

Petition for Legal Action. August 5, 1726. Pierre Sainton slurs off a request in pale dirty ink that moves Councillor Delachaise, in good black ink, to sanction a summons; which is delivered by Sheriff Vincent to Chevalier de Benat (and also recorded in black, respectable ink).

Decisions in Civil Suits.

August 9, 1726.

1. Pierre Sainton *vs.* De Benat. Defendant in default and sentenced to meet the claim, plus costs.
2. Morisset *vs.* Clairfontaine. Adjourned to Saturday, August 17, Costs reserved.
Filed No. 203.

Petition in Remonstrance. August 9, 1726. Mr. Clairfontaine shows that his letters of exchange deposited to secure M. Morisset are the Company's own papers; hence they should be accepted as legal tender for debt to the same Company, without exchange loss to debtor. Mr. C. cannot otherwise meet the claim; he has been damaged

by flood, and has not yet achieved any business for Company.

No note by Court.

Petition for Full Value. August 9, 1726. Jean Pasqual relates that his wife made a bargain with Mr. *LaVil de Beau*, clerk of ship *La Loire*, for 40-lbs. of "yawn of Rennes," half in white, half in color, for 130 francs. Goods were found 5-lbs. short, and too solidly in color. Let the contract be fulfilled aright, or money refunded.

Notice served. ("Ship's writer," *ecrivain* of those days, appears to have been a floating salesman.")

Petition to Recover Damages. August 9, 1726. Joseph Bureau, both for himself and as attorney for one Captain, his partner in trade which they designed to carry on at the place called *Chaquechoumas*, seeks action against Captain Regnault D'Hauterive for intercepting them at the Yazoo post and requiring sale of their goods at a sacrifice. The traders not only started conformably to the King's law, but had express permission of Commander de Boisbriant. But Captain D'Hauterive denied the latter's authority and jurisdiction at Yazoo post. Damages claimed to sum of 2000 francs.

Notice served on Captain D'H.
Duplicated.

Defence of Captain Renaud D'Hauterive. August 9, 1726. He disclaims disrespecting the orders of Commander de Boisbriant, but the parties are convicts and untruthful. The mere particular that they rate their stock of goods at 1100 francs and claim 2000 francs for damage, reveals their presumption. Besides, they had traded most of their wares at Natchez, and had only a remnant of inferior goods when they reached Yazoo post. Their bartering there was voluntary, and seemed to their own satisfaction. Captain D'H. left nothing at loose ends, and asks to be discharged.

No note by court.

Memorandum of Account. (Undated. Found c. August 9, 1726.) "Statement of the goods that we had when we reached the Yazous; which goods we were obliged to trade to Monsieur Renault and to his garrison; because he stopped us from proceeding to the Chocohoumas." Items include cloth, guns, copper pots, hardware and sundry tools, seal rings, bells, 200-lbs. of salt, 15 jugs of brandy. Total trade value 1438 francs, in one column; 666 francs in following column, apparently representing *sacrificed* valuation?

Petition of Indebted Carousers. August 16, 1726. Parties Duchesne and Chatay, joiners, had a house of the Company's to be paid either in money or in work. Next they were about to sell to one Bunel, and expected to remit proceeds to Company. But B. incited them to drink "on the bargain"; a festive carouse ensued (others being also present) and B. persuaded them to consume proceeds in wine and brandy; Company would not exact recovery. B. furthermore entered suit against D. and C. pretending he had paid *in goods*, and moving that D. and C. should pay company. Let him pay his portion of drinks.

No note by court.

Petition in Remonstrance. August 17, 1726. Chevalier de Benat files opposition to the ruling against him in default, and in favor of Sainton.

Opposition allowed and Sainton cited.

Petition for Inquest. August 17, 1726. Pierre Chesneau reports the supposed disappearance of one Jean Mercier, and asks the Court to institute proceedings of inquiry on behalf of Mercier's contingent heirs. He embarked as sailor on board the transport *LaDiligente*, commanded by Jean Chapeau, and bound from La Rochelle to Louisiana, but not heard of thereafter. (Pierre Chesneau is captain of ship *LaLoire*, and acts as attorney.

Proceedings allowed.

Decisions in Civil Suits.

August 17, 1726.

1. Bureau *vs.* Renaud Dauterive. Still pending. Costs reserved.
2. Antoine Bunel *vs.* Duchesne and Chatay. Defendants must furnish contract of sale and remit proceeds to cashier. Costs on defendants.
3. Sainton *vs.* De Benat. Marginal note about Mr. Delachaise. No report of decision.
4. De La Renaudas *vs.* Morisset. Still pending. Costs reserved.

Filed No. 206.

Attorney General on "Desertions." August 17, 1726. Prompted by a murderous attack on *Louis Congo negro executioner*, by three runaway savages, Attorney General Fleuriau urges the Councillors to take prompt and sweeping action against runaway slaves, lest soon the community be raided by whole gangs thereof. Let the neighborhood *Indians* watch out for such runaways and arrest them. Find the ringleaders and deal with them stringently. He cites King's law in relation to capital sentence.

Petition for Appointment of Guardian. August 20, 1726. Louise Phillippeaux (signed Philpeaux) widow of Noel Lefevre, is about to marry again and would have a guardian appointed for her three minor children, with reference to subsequent inventory of property. (Her own thrift to thank for it.)

Court approves.

Decisions in Civil Suits.

August 23, 1726.

1. Pierre Sainton *vs.* DeBenat. Out of Court. Costs divided.

Marest *Dupuy* (Du Pin? De la Tour du Pin) *vs.* Jean Coupart. Plaintiff to pay. 259 francs and costs. (Very clearly written.)

Petition of Recovery. August 26, 1726. Jean Coupart, joiner, seeks renewed action against Durivage, who was sentenced to pay claim of 160 francs, but has made only slight restitution thus far.

Notice served on D.

Petition to Recover Loss of Cattle. August 28, 1726. Larcheveque reports that two cows and a bull of his were killed by wanton onslaught, presumably at the bidding of Mr. Lagoublaye or his wife, on whose land the act was done. The law forbids the like injury and provides other means of redress in case of trespassing. Let Mr. L. be cited to render satisfaction.

Approved and notice served.

Summons to Attend Hearing. August 30, 1726. Second notice by Sheriff Vincent to Captain D'Hauterive in suit brought by *Bureau*. Summons delivered to "Catherine, his savagess." Hearing set for August 31.

Decisions in Sundry Suits.

August 31, 1726.

1. Joseph Bureau *vs.* Renaud Dauterive. Still forward. Costs reserved.

2. Larche *vs.* LaGoublaye. Out of court. Costs divided.

3. Laurent Bonnaud *vs.* Thomas Desercy. Defendant to pay in a month, plus costs.

Filed No. 207.

Petition to Sue for Libel. August 31, 1726. Pierre Manade, having been cleared of damaring charges (of robbery), pushed by one Charles Joly, now moves for action against Joly.

No note by court.

Petition of Recovery. September 2, 1726. Charles Joly, preparing to sail for France, would first collect certain debts from Mr. Manade.

Notice served on C. J.

Petition of Recovery. September 10, 1716. Dalcour, seeks to collect 358 francs from Mr. Faucon Dumanoir, due on a note dated May, 4, 1726, and endorsed in favor of Dalcour by Mr. Trudeau, on past August 8.

Action allowed

Petition of Recovery. September 11, 1716. Francois Thomas *alias* Derivieres holds a transferred note whose residue amount he seeks to collect from responsible party, Mr. Tixeront.

Action granted.

Report on Short Weights. September 11, 1726. Official inspection, prompted by complaint of a hospital attendant, finds that Baker Caron furnished short weight loaves of the two pound size and of one pound, and also of five pound size; that Baker Bellegarde was short with his four pound weight (which the viewer ordered thrown into the Mississippi) and less gravely short with his two and five pound loaves.

Signed: ROSSARD.

Filed No. 208.

Petition of Recovery. September 11, 1726. Francois Nicolas de Knepper claims a residue account of 70 francs from Rivard *alias* Lavigne, and also some clothes which R. will not release pretending that the petitioner's time is not yet fulfilled. He (Francois Nicolas) was employed to teach Rivard's children to read and to write. Bill was 80 francs, but F. N. collected 10 francs from a debtor of R.'s

Action forward.

Summons to Attend Hearing. September 13, 1726. Jean Caron, baker, is notified by Sheriff Vincent to appear on Saturday, September 14, at 8 a. m. with reference to charges of short weight.

Memorial on Litigated Heifer. September 13, 1726. St. Martin de Jaureguyberry spreads himself in several directions and also corners his cause in several byways of mis-carried procedure, to trace the history of that elusive heifer which he was entitled to receive from Mr. Arnaud; the transfer being now opposed by the same Arnaud. But as though to expiate his burden of legal prolixity now Mr. St. Martin offers the magnanimous concession

of releasing his original claim, 97 francs in Spanish currency in favor of the *Children of the late Guillory* heirs to the unsettled estate in question.

Notice served to Mr. Arnaud. Partly charred.

Memorandum of Account.	September 14, 1726.	Joly submits a statement of his credit with Mr. Manade; 21 months of hired service at 250 francs a year.....	437½ francs
Clothing which was not received.....	250	"	"
Supplies to M.'s slaves.....	100	"	"
			787½ francs
Deduct 5 jugs of brandy at 20 francs.....	100	"	
Net residue credit.....			687½ francs

Reported to Mr. M. October 4, 1726.

Decisions in Sundry Suits.

September 14, 1726.

1. Attorney General *vs.* Le Roux *alias* Lafleur "Culprit" discharged.
2. Rossard *vs.* Caron. C. warned to observe statute. Costs halved.
3. Dalcour *vs.* Dumanoir. Claim allowed. Costs on defendant.
- Francois LeBerger *vs.* Fillar. Referred to Mr. Fazende. Costs reserved.
5. St. Martin *vs.* Arnaud. Not reported.
6. F. N. de Knepper *vs.* Rivard. Botch settles with *scrrawl*. Costs divided.
7. Coupart *vs.* Durivage. D. to pay, plus costs.
8. Francois De Riviere *vs.* Tixerant. Adjourned. Costs reserved.
9. Lemaire *vs.* Broy. B. in default; must pay plus costs. Filed No. 209.

Petition in Remonstrance. September 20, 1726. Francois Chate *alias* LeCoeur takes exception to a ruling between him and the contractors Thomelin and Dupre on account of weatherboarding the church. It was agreed between contractors and their two assistants Chate and another, to divide proceeds evenly, save that whoever lost time should forfeit a *pistole*. Chate willingly forfeited his portion, but the others refuse to do likewise. Let equitable settlement be granted for all hands.

Notice served on Thomelin.

Petition of Recovery. September 27, 1726. Marie Tournel claims 69 francs of one Micoux carpenter and calker.

Action allowed.

Decisions in Sundry Suits.

September 28, 1726.

1. *De Riviere vs. Tixerant.* T. to pay subject to due adjustment, plus costs.
2. *Marie Tournel vs. Micou.* Claim allowed. Costs on Micou.
3. *Francois Chate vs. Thomelin and others.* Lost time to be redeemed by defendants at a pistole for each day of debauch. Days lost by illness are settled by *scrawl.* Costs reserved.
4. *Scrawl* also pronounces in a case of the Attorney General's against ? ? ?
Partly charred.
Filed No. 210.

Decisions in Sundry Suits.

October 1, 1726.

1. *LaVille Thibaut vs. Damaron.* D. to pay claim, plus costs.
2. *Ditto vs. De Chavannes and Rossard.* Further in process. Costs reserved.
3. *Ditto vs. Dumas alias Lempileur.* Claim allowed. Costs on defendant.
4. Cancelled.
5. *Damaron vs. Dreux.* Charred. Apparently for plaintiff. Costs on defendant.
Badly charred and broken.
Filed No. 211.

Petition of Recovery. October 12, 1726. Francois Duval claims 125 francs from *Sieur* Labbe, settler.
Action allowed.

Petition of Recovery. October 8, 1726. Henry Buquoy lodges a chapter of claims against *Sieur* Bourbeau, including items of labor, wood, sweet potato sets, cattle, and other sundries amounting to total bill of 200 francs and costs plus wood. Moreover, Bourbeau's cattle have been damaging the petitioner's rice. (Labor was furnished by "master, negroes and savages".)

Notice served on Bourbeau.
Charred.

Memorial of De Verteuil on Surgeon Semson. Aux Bayagoulas. October 12, 1726. Narrative of injured dignity in face of an "odiously" proud bearing and "seditious" acts on the part of a subordinate. Immediate quarrel on this occasion grew out of a *supper* incident. The Surgeon, by accident, was to sup by himself, and he resented the *ascetic* detail of a napkin instead of a table-cloth. Blows nearly followed, but stopped short with high gestures. Dr. Sanson went next in a dugout bound presumably for

New Orleans but he was found aux *Oumas* by Lieutenant Petit, who fancied that he might oblige Mr. De V. by escorting Dr. S. back to the DuBuisson grant "former village of the Bayagoulas". Nay rather De V. proposes to pay the surgeon's fare to France by ship *St. Andre*, if Council will so order.

Filed by Mr. Raquet, attorney for De V.

Decisions in Civil Suits.

October 12, 1726.

1. Painquet *vs.* Raquet. Referred to Councillor Brusle. Costs reserved.
2. Joly *vs.* Manade. Pending. Costs reserved.
3. Buquoy *vs.* Bourbault. Parties will appear before Messrs. Fleuriau and Fazende. Costs reserved.

Filed No. 212.

Memorial of Surgeon Sanson on De Verteuil. October 13, 1726. Describing Mr. De V. as overbearing and irascible. "Believes himself to be the most absolute of all men." Dr. S. denies the charge of seditious behavior, and shows that De V. threatened him with irons and punishment at the hands of negroes, all because Dr. S. remained away too long on an errand of treating a negro for rattlesnake bite. Let Mr. De V. be cited to pay the surgeon's salary and grant his discharge.

Approved. Notice served November 27, 1726.
Duplicated.

Petition of Recovery. October 14, 1726. Jacques Perrier (signed Peris) and Jean Le Tellier, partners, ask for citation of one Bellegarde to pay 117 francs due by him to Messrs. Dreux, so that the petitioners may then have recourse to Messrs. D.

Action allowed.
Charred.

Memorial of Mr. Delachaise. October 14, 1726. In his office as executor for the late Mr. De Pauger, Councillor Delachaise recalls the land suit between Monsieur de Bienville and Mr. De Pauger, wherein Mr. De Pauger was worsted, subject to compensation for his improvements on the land at issue. The sum of 1000 francs was allowed, but afterwards claimed by Monsieur de Bienville, against the valid rights of de Pauger's estate. Let Monsieur de B. be cited in the person of his nephew, Mr. De Noyan, and the sum of 1000 francs be entered to the credit of said estate.

Notice served on Mr. De Noyan.

Plea for More Time. October 18, 1726. Mr. De Noyan urges that he was away when the suit occurred between Mr. De Bienville and Mr. de Pauger, nor has he the proper *data* before him for defence in the present contention. Either postpone the case till Mr. de Bienville's return, or else give Mr. De Noyan time to hear from Mr. de B. (then in France).

Action allowed. No note by court.

Petition of Recovery. Slave Suit. October 18, 1726. Antoine Aufrere bought of Mr. Melik (also given Melick) a negro for 600 francs, not knowing that the negro was epileptic. Let Mr. M. be cited to take back the negro, and to meet costs and other charges (board and medical attention.)

Decisions in Civil Suits.

October 19, 1726.

1. Letellier and Perier *vs.* Bellegarde. B. to pay, plus costs.
2. Delachaise *vs.* de Noyan, Company to credit 1000 francs to De Pauger's estate. Costs divided.
3. Aufrere *vs.* Melick. Plaintiff nonsuited and subject to costs.

Charred and broken.

Filed No. 213.

Memorial and Rejoinder to Court Summons. October 19, 1716. Surgeon *Dedouad de Senson* (Dedoua de Sanson, *D.*) charges fresh threats to Mr. De Verteuil: "Drubbing, shooting, everything instrumental to destruction of human life," and again he would urge the citation of Mr. DeV. The latter parries the sheriff's writ on the ground that the surgeon has no case: he broke his formal contract, expiring only in March, 1728, by deserting his hospital patients on post October 5th. Said contract was drawn up at Ste. Croix, Teneriffe, Canary Islands, on October 25th, 1724. (Santa Cruz).

Duplicated.

Petition for Attachment of Funds. October 21, 1726. Bertrand Dufresne, Arkansas (*Arcansas*) settler, shows that Mr. Melique owes him 700 francs, by his note of June 15, 1725. Let funds be seized against Mr. Aufrere, debtor to Melique, and notice served on M.

Approved, and notice served.

Attachment of Funds. October 21, 1726. At the instance of Bertrand Du Fresne, settler in Arkansas, but now domiciled with Mr. Tronquidy, Sheriff Vincent seizes funds of Mr. Aufrere, and forbids him to pay what he

owes Mr. Mélick, until Mr. DuFresne be satisfied in his claim of 700 francs, due him by Melick.

Notice of Seizure. October 23, 1726. At the instance of Jean Coupert, joiner, Sheriff Vincent warns Mr. Manadé to pay his debt of 192 francs to Mr. C. or to the Sheriff for him; and M. refusing, is further warned that his goods will be attached and sold in satisfaction of said claim.

Decision by scrawl. October 23, 1726. Attorney General *vs.* Massy, Council confirms a piece of execrable script for execution according to form and substance of execration in such cases.

Signed: Delachaise, Brislé, Fazende.

Petition of Recovery. October 24, 1726. Alexandre Vieil, surgeon major, claims an account of 74 francs against *Sieur* Chaperon, who refuses payment on the ground that his negro *died* in sequel to Dr. A. V.'s treatment.

Action allowed.

Petition of Recovery by Seizure. October 24, 1726. Dreux *frères* seek to collect, by process of distress, some accounts owing by one Pousset, settler at *Naquioches*, both to themselves and to *Sieur* Bastet, whose order they bear. Claims include beans, poultry, bear's grease an iron pot, cash and men's shirts. Transactions date as far back as 1722. Notice of attachment served on Toulouse, Pousset's agent of sale, now at N. O.

(Top torn).

Marine Inspection. Report. October 25, 1726. At the instance of Captain Joseph Vigaud (signed Wigaud) of the brigantine *Marie-Elizabeth*, from Bordeaux to N. O., the said brigantine is officially viewed with reference to damages (dislocation of timbers) incurred by running aground while crossing the bar. On the evidence returned, Attorney General Fleuriau orders the vessel declared unseaworthy, and Captain Wigaud shall advise with the local marine it agents, concerning conservative measures and the dismissal of the crew.

Filed No. 215.

Decisions in Civil Suits.

October 26, 1726.

1. Dubuisson *vs.* DeVerteuil. Defendant in default; judgment for plaintiff.
2. DuFresne *vs.* Mélique and Aufrère. Seizure found correct. A. shall pay D. 596 francs on the 700 francs owed by M.
3. Cancelled.

Filed No. 216. Charred and broken.

Petition of Recovery. October 26, 1726. De la Villethebauld, ship's clerk of *La Loire*, claims 43 francs of *Sieur Dreux* on a bill of goods.

Action allowed.

Resignation of Executor's Charge. October 31, 1726. George Tesson, while absent at Mobile, was named as executor for the late Joseph Moreau, locksmith. Mr. T. not only has no interest in the appointment, but is prevented from due attention to it by his frequent trips to Mobile. Neither is he a resident of N. O. Therefore he asks to resign.

(No note by court.)

Filed No. 217.

Demand for Certified Accounting. October 31, 1726. Attorney General Fleuriau has remarked some "defects," if so cautious a term be allowed, in the minutes of *sales* in settlement of the estate of the late Sister Grissot, deceased at Mobile. Such "defects" include superadded entries and discrepancies of handwriting. He calls for a collated and authentic revision before one of the Councillors.

Approved, and the matter placed in charge of Mr. Bruslé.

Petition of Recovery. November 7, 1726. Jacques Robert, soldier, sold a pig to one Coupert for 76 francs, which C. was to pay when he had retailed the pig. Let C. be cited.

Notice duly served.

Revision of Judgment. November 9, 1726. Reference to acts not appearing (at this writing) among the papers for November, 1726. A certain act of November 5, is voided by Attorney General's decision of November 9. In sum, the "said negro" shall be auctioned to highest bidder; *R. P. Hyacinthe* may recover from Cashier Bru the 800 francs which he paid at (cancelled) sale: nay more, he *must* do so; and as regards the 200 francs which he is supposed to have paid cash to Mr. Duval, *R. P. H.* shall affirm the point before Mr. Bruslé, to the end of recovering said payment from sale proceeds.

Notices served on January 23, and February 11, 1727.

Decision Between Duval and Labbe. November 16, 1726. D. to pay 123½ francs, residue account on furniture to him sold, plus costs.

Filed No. 218.

Petition for Removal of Seals. November 18, 1726. Mr. Rossard, as attorney for vacant estates in the province, asks that the seals be removed from property of the late *Chevreuil DuVal*.

Approved: Delachaise (*provisos* duly observed.)

Petition to Forestall Trespassing. November 19, 1726. Francios de Mandeville, Captain, and owner of a plantation at *Pointe St. Antoine*, complains that Mr. Raguet "daily" has wood cut in petitioner's cypress tract. Let Mr. R. be cited to obey law herein.

Notice served December 10, 1726, and again on December 18.

(Top torn.)

Receipt. (Latter part of) 1726. Charles Roger to *Sieur Pasquier*, 1000 francs in specie. Transacted "in our office, year one thousand seven hundred twenty-six before noon."

Signé: Roger, Massy, Droy, Rossard.

(C. R. was an employe of the Company.)

Filed No. 222.

Petition in Slave Suit. December 2, 1726. Joseph Terret, about two months ago, exchanged a negro of his for a negress of Mr. LaFresnières. Mr. LaFresnière now tries to retract the bargain by sending back the negro on the ground of age and disability, and by taking away the negress. The original trade was explicit and well understood. Let Mr. LaF. be held to the closed terms of it.

Signature is probably *Veret*.

Action forward.

(Charred.)

Memorandum of Account. December 2, 1726. One Verret in account with Chauvin de la Frénière. Balance debit against Verret, 349 francs, 6 sous. Acknowledged by V. to date of October 30, 1726.

Certified correct by La Frénière.

aux Chapitoulas, 2 December, 1726.

Petition for Discharge in Court. December 5, 1726. Captain Renaud D'Hauterive, recalling a Court sentence of past August 31, which required Bureau to *prove* that his movements were forcibly intercepted (at Yazoo post by Captain D'H.), observes that B. has furnished no proof in all this time; consequently, let B. be cited and turned down, and the captain discharged.

Notice served on B., December 6, and December 18. Judgment will be rendered irrespectively, if he fails to appear.

Petition of Recovery. December 6, 1726. *Sieur de la Renaudays Gauttier*, mate of *LaLoire*, holds a note of 100 francs on the late Mr. Céard, dated December 10, 1718, in favor of one Malo, and thereafter transferred through sundry hands. Collection is now desired from Céard estate.

Notice served on Mr. Rossard, attorney, to meet the claim.

Duplicated.

Decisions in Civil Suits.

December 7, 1726.

1. De la Renaudais *vs.* Rossard. *scrawl* on deck.
2. Verret *vs.* LaFresnière. Defendant to pay 394 francs, 6 sous.
3. Dauterive *vs.* Bureau. To be heard again. Costs divided.
4. Prevost *vs.* Didier. Judgment apparently against D. *Scrawled* and charred.

Filed No. 219.

Summons to Testify. December 10, 1726. Sheriff Vincent, at the instance of Pierre Clément, Captain of *LaLoire*, notifies Mr. deChavannes, Secretary of Council, to give evidence before Councillor Bruslé in an inquiry appointed at 2 p. m., same date.

Inventory of Kolly Property. December 10, 1726. Itemized miscellany of personal effects and business papers.

Further, a "statement of what I have consigned to Monsieur Lemoire to sell on my account, on his course, whether at the Cape or in Louisiana."

Total report, 711 francs.

Signed: C. Boyelleau.

Filed No. 220.

Joseph Verret vs. Nicolas Chauvin de la Fresniere. December 11, 1726. Defence of La Fresnière, to the intent that Verret deceived him in regard to the disputed negro. V. pretended that the negro had no fault but a disposition to run away; whereas La F. was willing to waive that weakness provided no other (physical) defect was in question. But the like defect soon came to light.

Notice served to Verret.

Petition to Prosecute for Calumny. December 13, 1726. Captain de LaSalle, of ship *St. Andre*, lodges complaint that he has been calumniated and moves for citation of those implicated.

Ordered communicated to Councillor Fazende.

(Stained, and almost extinct.)

See "Remonstrance on Officious Tattling," which clears the matter thoroughly.

Attachment of Funds. December 18, 1726. Sheriff Vincent seizes one *Babas* to the amount of 192 francs claimed by Jean Coupert on "what Babas may owe to *Sieur Manadé*." January 3, 1727. Babas is notified to appear on the morrow, Saturday January 4, at 8 a. m. and "see himself condemned to empty his hands into those of the said Coupert, of what he (Babas) may owe to Mr. Manadé; to the sum of 192 francs."

Petition for Clear Title. December 19, 1726. Magdelaine Fauveau *alias* St. Jean acquired from "old man Moreau" a small house for 80 francs, with right to raise poultry in the courtyard, to draw water from the well and cook at the oven so long as it stood serviceable. He now demands to sell this house: let him be cited to serve Magdelaine in possession.

Approved, and notice served to *père Moreau*.

Decisions in Sundry Suits.

December 20, 1726.

1. Dauterive *vs.* Bureau. Default, and B., for neglecting to make inquiry, is nonsuited and bears costs.
2. Carriere *vs.* Rossard. R. to pay claim from proceeds of Céard sale. Costs divided between C. and estate Céard.
3. De Mandeville *vs.* Raguet. Default; R. to pay T. costs.
4. Delachaise *vs.* Delagoublaye. Compromise by *scrawl*, and costs divided.
5. (*Dame*) Fauveau *vs.* Moreau. M. shall tender contract of sale to plaintiff. Costs divided.

Filed No. 221.

Remonstrance on Officious "Tattling." December 20, 1726.

Councillor Fazende reminds the Council that it was redundant to call him to account in the suit moved by Captain LaSalle. Mr. F., in a supposed *secret* session of the Council, told it for a mere "tip" of precaution, that he had heard on rather direct lines that Captain LaSalle had "oiled" his brandy with that of the Cargo. Mr. F. made no *charge* at all: it was a private remark, and had no warrant for getting openly *utilized* in the way of capital for virtual *defendants*, if the report were true, whereby to turn the tables as injured plaintiffs. Whoever spread the remark, did a blameworthy act, and merits the censure of the Council.

Decision Between D'Hauterive and Bureau. December 20, 1726. Since Bureau has failed to render his proof as required

by sentence of August 31, he is nonsuited, and subject to costs.

Bureau is so notified by Sheriff Vincent.

Petition of Recovery. December 23, 1726. Lassus de Marsilly, Company surveyor, moves to collect an account of 300 francs from Mr. Durivagé, contractor, first owing to the late *Sieur Trépanier*, but now claimed by Mr. Lassus for his wife (deceased's widow).

Action forward. Claim is made in the name of Mr. L. as guardian of Trépanier minors; as well as in the name of Madame L.

Motion to Try for Fraud. December 24, 1726. Attorney General Fleuriau, learning that the parties *Babas* and *Pepy* are accused of swindling Monsieur Dupuy Planchard to the sum of 600 francs and upwards, moves to have them examined (they are already in prison); and let witnesses be summoned. Transaction described in detail.

Countersigned by Bruslé.

(Right margin torn.)

Remonstrance at Summons. December 28, 1726. Mr. de Verneuil asks to be discharged from the proceedings moved by surgeon *Dominique Douat de Sanson*. The latter has broken his explicit contract, and left the sick slaves in the lurch at a critical juncture.

Copy of said contract is appended; it was formulated in presence of the French Consul at Santa Cruz, Teneriffe.

Surgeon de Sanson is described as "native of *Bagnères en Bigorre*, surgeon and apothecary by profession." He landed in March, 1725, by long boat of the transport *La Gironde*, then five leagues from New Orleans. (Mr. DeV. disclaims the report that *he* is intractable: he is only too indulgent, and he *does* get along smoothly.)

(No note by court.)

Petition of Recovery. December 30, 1726. Antoine Lowe, tailor, claims 140 francs from Mr. de Nolan, deceased. Let Mr. Rossard pay the debt from estate assets.

Notice served on Mr. R.

(Same claim, second edition.)

Remonstrance in Collection Suit. January 1, 1727. Mr. St. Martin objects to Mr. Rossard's action as inapplicable to St. M. The primary debtor in question is Mr. Lassus of Mobile, and the note should have been protected against him on day of maturity, supposing him to have refused payment. Short of such protest, no endorser is

to be held responsible. Accordingly, Mr. S. M. asks to be discharged.

(No note by court.) Faded.

Report on Loss of Dugout. January 2, 1727. After formal preamble and itemized *bill of lading* for the dugout to *Ste. Catherine grant*, and consigned to Mr. Dumanoir at N. O. it appears that four dugouts left port of Natchez for N. O. on Dec. 31, 1726. Two of the dugouts were totally lost, ladings included, by capsizing on striking an upright snag. The two others kept afloat by dint of *jettison*. Louis Serel, chief "navigator," and others of the party (four savages among them) swam off alone. Items of lading included several kinds of beans, and the particular variety: *Apalachee* bean. The grant's dugout had an *awning*.

Manifold signatures.

Some letters were also lost.

Certificate on Dugout Disaster. January 2, 1727. Undersigned "Jean Francois St. Amant, *Laurens Coutanseau*, Thomas Raimond, Marc Legaufe, and Dominique Serel," certify in regard to the necessity of throwing overboard a portion of the dugout ladings, in case of the two saved dugouts. Maize and tobacco were among the articles lost.

Report on Search. January 3, 1727. Messrs. Bruslé and Fleuriau, attended by Mr. Rossard, recorder, have visited the premises of Claude Babaz (prisoner at present), in order to ascertain the truth about "shares" between Babaz and Pipy of a note for 638½ francs given by Mr. Dupuy Planchard in error for six francs, for meat. Found no papers bearing on said note for 638½ francs.

Summons in Attachment Suit. January 3, 1727. At the instance of Jean Coupert, joiner, Sheriff Vincent notifies Mr. de Manadé to appear and take knowledge that the seizure against *Babas* to the amount of 192 francs in favor of Coupert is right and valid. Should Mr. de Manadé fail to respond, procedure will go on without him.

Petition of Recovery. January 4, 1727. Hughes Mekain (signed *Hugh Mc Keen*), tar dealer at Mobile, claims a total amount of 3871 francs from estate of late Mr. de Nolan, besides costs and compensation for loss of time in pushing the collection. Transactions involved slave labor and price of 100,000 shingles: 2/5 of the proceeds belonging to McKeen. Action allowed, and notice served on Mr. Rossard, attorney. (Reference to *R. P. Mathieu*,

parish priest at Mobile, in support of plaintiff's *data*.
 The shingles were produced by the slaves in question.)
 Duplicated.

Petition of Recovery. January 4, 1727. Lieutenant de Coustillas, attorney for Mr. Tissandier of Auxerre, France, seeks to collect 1100 francs in copper from Mr. Broutin, royal engineer. The claim includes a protested letter of exchange.

Notice served on Mr. Broutin.

Decisions in Sundry Suits. January 4, 1727.

1. Coupert *vs.* Babache (Babas) and Manadé. M. to pay residue debt of 46 francs. Costs divided.
2. Dreux frères *vs.* Toulouze. Further pending. Costs reserved.
3. DeMarsilly *vs.* Durivage. Defendant to pay net claim and costs.
 Filed No. 223.

Agreement in the Cause of Restitution. January 6, 1727. One "Plaissance" promises to pay Bourbeau three francs each day for work to begin "tomorrow," "for an ox in place of the one whose hamstring was cut by my negress."

Signed by witness, *J. Cazenave*, and by *H. Buquoy*.
(alias of Plaisance.)

Stained and almost extinct.

Receipt. January 6, 1727. Joseph Carriet has received of Mr. Marsillat the sum of 400 francs on account.

Petition of Recovery. January 7, 1727. Antoine Lowe, tailor, seeks to collect a debt of 140 francs from estate of late Mr. de Nolan, due on his note of April 18, 1726.

Notice served on Mr. Rossard, Attorney.

Sentence for Fraud. January 7, 1727. Parties Babaze and Pipy (Babas and Pepy), shall make restitution for 638 francs in question, and pay fine of 50 francs each in favor of Hospital, and bear costs conjointly. They stay in prison till complete restitution be effected.

Signed: Bruslé, Dauseville, Prat, Pellerin, Fr. Duval.

Scorched and scrawled.

Filed No. 225.

Petition to Recover Residue Allowance. January 7, 1727. Madame Perrine Lemarié, widow of Mr. Desmorières, was granted, on her arrival in this town, September, 1724, an allowance of 1500 francs for support of herself and her

family, payable by Mr. Duval. He paid two sums, 600 francs and 500 francs; and since "it is plain as day that 600 francs plus 500 francs being 1100 francs, there still remain 400 francs due," therefore let Mr. D. be cited to give satisfaction. He pretends to have covered the deficit in rice, beans, and rent bills; but those items were included in past receipts to him.

Document (through petition) written by Attorney General Fleuriau.

Action allowed.

Petition to Retain True Boundary. January 11, 1727. *Dalcour* complains that Officer Dupuy-Planchard tries to appropriate an 8 foot slice of Dalcour's land, already confirmed to himself from bound to bound. The dispute arose from D.'s plan of ditching. He kept his ditch (9 feet wide by 3½ feet deep) fairly on his side, and left a margin of 8 feet for depositing the excavated earth. D. P. quibbles over this arrangement, and claims the said margin. Neither ought D. P. to run his ditch directly along D.'s land, but he, too, should leave a raised border, lest the joint overflow D.'s land.

D. P. is cited.

Petition of Recovery. January 17, 1727. Jean Forisien, carpenter, claims an account from Claude Heu, coppersmith.

Action granted.—(Torn.)

Memorial in Behalf of Arbitration. January 18, 1727. Mr. Duval asks the Council to appoint arbitrators between Madame DesMorières and himself. He seems to hold that the claim of *allowance*, 1500 francs, was paid by the Council to Mr. Céard. (Madame, in her original petition "washed her hands" of any matters between Mr. Duval and Mr. Céard.)

Memorandum of Account. January 18, 1727. Itemized statement of Mr. Duval's obligations to *Demoiselles LeBlanc*, nieces of Madame DesMorières, followed by credit items. Disputed 1500 francs would seem to be charged to Mr. Céard, and left with him to settle.

Memorandum of Account. January 18, 1727. Skeleton of figures alone, of Mr. Duval's affairs with *Madame de Moriere*.

Memorandum of Account. January 18, 1727. *Dame Desmorières* and *Demoiselles LeBlanc* arrived on September 24, 1724 and "went out" about last of January, 1725.

They received on account of allowance (1500 francs), 500 francs and 600 francs.

Memorandum of Expense Account. January 18, 1727. Household sundries, dating from 24 September, (1724). Earthenware, fish, pumpkin, cucumbers, beans (arico), cabbage, and many "anonymous" items, entered "at another time" (*par une autre fois*), making total 404 francs.

Memorandum of Bread Account. January 18, 1727. Baker's items dating from 24 September, 1724 to January 14, (1725). Entered by loaves; no price affixed.

Petition of Recovery. January 18, 1727. Jacob, an accountant of the farmer administration, seeks to collect 43 francs T, for which work he discharged in March past, by order of Mr. Perault. Mr. Delachaise, for whom the said service was rendered, professes ignorance of Jacob's engagement, but Mr. Duval's certificate should stand as voucher.

Action allowed, and notice served to Mr. Duval to appear for hearing on Saturday next.

Petition of Recovery. January 20, 1727. La Croix, fifer, claims a board account of 31 francs from one St. Pierre, carpenter's journeyman.

Notice served by Sheriff Dargaray.

Petition of Recovery. January 21, 1727. *LaForme* claims 45 francs from Blanchard, Company's skipper, due on a note.

Notice served by Sheriff (Pierre) Dargaray.

Petition of Recovery. January 21, 1727. *LaForme* claims 21 francs from one LaVinne, due on a note.

Notice served by Sheriff Dargaray.

Petition of Recovery. January 21, 1727. Francois LePercher, soldier of this garrison, claims an account of 79 francs, in specie, from *Sieur* Fillard. This item was approved by Councillor Fazende, referee between La Percher and Fillard over a consignment of goods from plaintiff's father, in Fillard's charge.

Action approved, and notice served by Sheriff Vincent.

Advertisement of Lease. January 21, 1727. Conditions and provisos for the instruction of the highest bidder and next tenant on *Pailhoux* plantation, to be open for new lease on January 29. Occupant is to deport himself like an orderly *paterfamilias*, clear a maximum portion of the land, and exercise humane care for the slaves. At expiration of lease, he shall leave six barrels of rice in culture, and 16 barrels of rice or maize in the grain for victualing. Rent will be transmitted semi-annually by Cashier of Company to *Pailhoux* heirs.

Decisions in Sundry Suits.

January 22, 1727.

1. Attorney General and (blank). *Scrawl* disposes; costs reserved.
2. Dupuy Planchard *vs.* Trudeau and Delcour. Postponed.
3. Sanson *vs.* DeVerteuil. Postponed.
4. Bureau *vs.* Renaud (remonstrant). Postponed and further advisory.
5. Ceard *vs.* La Verdure. Defendant to pay claim and costs.
(Charred and torn).
Filed No. 228.

Petition for Summons in Recovery Suit. January 23, 1727. Recorder Rossard asks for citation of Francois Larche to pay 72 francs which he owes on a bill of goods at sale of Duval Chevreuil effects.

Notice served.

Petition of Recovery. January 24, 1727. Jacques Galtier holds a transferred note of 300 francs, payable by one Henry Thierry. Let H. T. be cited.

Notice served.

Petition of Recovery. January 25, 1727. Dalcour seeks to collect proceeds of a note from *Sieur* Darby. Note dates back to 21 December, 1722.

Action allowed.

Memorandum of Meat Account. January 28, 1727. Items of meat, fish and poultry "which Mr. Rossard has had from Baptiste Barre from the year 1724 until today, 28 January, 1727." To-wit, so much beef, 29 quarters of venison, 7 turkeys, 7 fish, 4 ducks and 1 goose. Credit items: one bottle of brandy, some powder and shot, and a dogs skin cover, amounting to 15 francs, 3 sous. Debit items do not appear to be quoted in full, and no prices are affixed in detail.

Decisions in Sundry Suits.

January 29, 1727.

1. Jacob *vs.* Duval. D. in default. Judgment in favor of J.
2. Galtier *vs.* Thierry. T. to pay 300 francs and costs.
3. Berche (Le Percher) *vs.* Fillard. Plaintiff wins.
4. LaForme *vs.* Blanchard. B. to pay 45 francs and costs.
5. LaForme *vs.* La Vigne. LaV. to pay 21 francs and costs.
6. La Croix *vs.* St. Pierre. Claim allowed.
7. Dame Des Morières *vs.* Duval. D. to pay residue claim. Costs divided.

Filed No. 229.

Advertisement of Lease. January 30, 1727. Repeating conditions already announced. The bidding on January 29 fell short of a just scale, and the lease is held open for further bids.

Memorial of Mr. De Noyan. January 30, 1727. On behalf of Chevalier de Bienville, Monsieur De Noyan renews his demand against the estate of the late Mr. Bordier. Letters of exchange have not been redeemed; a cow has died, and the slaves are left unproductive. Let slaves and cattle be restored, and restitution allowed for the dead cow from "Joseph's" plantation.

Contingent approval by Attorney General.
Council orders measures of provisional recovery.

Petition for Extension of Time. February 1, 1727. *Darby* reviews the history of his affairs with Mr. *Dalcour*, and finds it burdensome to face the given debt of 450 francs just now. His only recourse would be to sell some slaves or cattle of *Cauillon* plantation: but neither would this expedient be clear of "strings" thereto. More time desired.

No note by court.

Petition in Boundary Suit. February 1, 1727. *Dalcour* still again urges adjustment, and especially before higher water, of the *ditching* dispute between himself and Officer *Dupuy Planchard*, whose defence (not thus far brought to light in these records) "emerges beyond the bounds of truth," although these are indispensable props to orderly procedure. *D. P.* dare not *formally* plead, as he has informally pretended, that the boundary line has been shifted in *Dalcour's* favor. Let the line ditch at issue be promptly filled.

No note by court.

Decisions in Sundry Suits. February 1, 1727.

1. *Dalcour vs. Dupuy Planchard.* Referred before Mr. *Brusle*. Provisional clause by *scrawl*. Costs reserved.
2. *Rossard vs. Larche.* L. to pay 72 francs and costs.
3. *Dalcour vs. Darby.* *Darby* to pay 450 francs and costs.
4. *LaForme vs. LaRenaudaye.* Adjourned. Costs reserved.

Filed No. 230.

Third Advertisement of Lease. February 6, 1727. Bidding on February 5 still fell short of right value, and a third offer will be open on February 12.

Petition of Recovery. February 7, 1727. Dreux *freres* ask for citation of Mr. Dalcour to settle claims of 243 francs, and 196 pounds of bread and 20 pounds of biscuit.

Action allowed.

Summons to Satisfy Court Ruling. February 8, 1727. Sheriff Vincent notifies Officer Dupuy Planchard "speaking to Marie negress," to comply with the sentence communicated to him on fifth instant, and this within three days.

Receipt for Shingles. Cautillon. February 8, 1727. J. B. Thomelin has received from Mr. Darby the number of 4000 shingles at 18 francs *per M*, amounting to 72 francs, which he promises to pay in two months.

Petition of Recovery by Seizure. February 8, 1727. Jacques Larchevesque bought a lot of wine about $2\frac{1}{2}$ years ago at 15 francs a jug, and retailed it at same price to oblige sundry individuals. Mr. Rossard alone objects to meet his bill (60 francs), and calls the charge "exorbitant"; whereas at the time of original purchase, wine sold usually at 22 francs a jug. Let the debt be attached on Francois Larchevesque's debt to Mr. R.

Notice served on Mr. R.

Remonstrance in Boundary Suit. February 10, 1727. Dupuy Planchard cites two antecedent rulings, February 10, 1724, and September 12, 1724, securing him in possession of ground now claimed by Dalcour: subject to new survey by Mr. Broutin, which D. P. will accept when finished. But he totally objects to filling a gap on his own land now.

Mr. Dalcour is advised of this remonstrance.

Petition of Recovery. February 10, 1727. Mr. Coustilhas, Lieutenant of troops and former body guard of His Majesty, lent three barrels of rice and three barrels of maize in the grain to Mr. Balcour, on June 13, 1723, to be returned in kind at next crop. Rice and corn then brought 50 francs a quarter: total bill would be 200 francs. Mr. B. proposes to settle at present rates *below* that sum; let him pay full claim, 200 francs.

Notice served.

Petition to Receive Bequests. February 10, 1727. Francois de Noyan and Jean Dulude, being heirs to the late Mr. Duval, goldsmith in this town, to the bequests of 6 Spanish dollars (for Mr. de Noyan) and 3 Spanish dollars plus 12 *ditto* and 5 *reals* (for Mr. Dulude), move to collect

those claims from attorney in charge, that they may turn the money into silver goblets.

Notice served on Mr. Rossard.

Petition of Recovery. February 10, 1727. Denis Kolly, "English by nation," claims 100 francs of one Lowe, tailor. Action forward.

Award of Lease. February 12, 1727. January 29, 1727. Report of bids on Pailhoux plantation, publicly offered for rent on January 29, February 5 and February 12. Highest bidder, Mr. Bergeron, is adjudged as next tenant at 1950 francs (yearly), subject to conditions previously announced.

Filed No. 227.

Remonstrance in Wine Suit. February 13, 1727. Mr. Rossard answers that the (four jugs of wine) in dispute became commuted by four jugs of brandy, to be duly delivered. Let Mr. R. be discharged.

Mr. Jacques Larchevesque is advised herein.

Rejoinder in Wine Suit. February 15, 1727. Jacques Larchevesque repeats his demand for the 60 francs in question; it was *proposed* to settle the account in brandy, but J. L. was no subscriber to that suggestion.

Decisions in Sundry Suits. February 15, 1727.

1. Attorney General *vs.* R. P. Hyacinthe. Default; A. G. sustained.
2. Damaron *vs.* Alexandre. Referred to Attorney General. Costs reserved.
3. Kelly *vs.* Lowe. L. to pay 90 francs (provisos follow, but passage is torn out.)
4. Coustilhas *vs.* Balcour. B. to make restitution in kind: unless he prefers to pay at rates here defined: 12 francs a quarter for rice, 10 *ditto* for corn.
5. De Noyan and Dulude *vs.* Rossard. Controlled by *scrawl*.

Filed No. 231.

Motion for Corrected Survey. February 17, 1727. Attorney General Fleuriau proposes to end *line* dispute once for all, and especially from the brewery to settler *La Liberte*, by revised survey. Mr. Lassus admits possible errors in first survey, from defective instrument, but he left his report for Council to endorse, or not. The Council assumed it correct; but now that reasonable doubts are forward, a new survey is recommended. Parties after-

wards opposing shall have so much time for hearing; but thenceforth all contentions must stop.

Sale of Real Estate. February 18, 1727. Sieur Veurer, German, with the consent of Captain de Noyan on behalf of Monsieur de Bienville, sells a tract of land 6x40 acres, on the Mississippi above New Orleans, who shall pay Monsieur de Bienville a yearly rental of six farthings for each acre, or 36 francs total; together with twelve capons and twelve days of labor each year when so required. First year will expire a year from date. Mr. G. will also pay arrears of rent, 372 francs, due by Mr. V. to Monsieur de Bienville.

Ragged edges.
Filed No. 232.

Petition of Recovery. February 19, 1727. Corporal Louis Destruemels claims a residue debt of 465 francs from one La Verdue, due on some land in Illinois.

Action allowed.
Faded almost to extinction.

Petition in Remonstrance. February 19, 1727. Joseph Bureau files opposition to the ruling which nonsuited him in favor of Dauterive. J. B. was not wittingly in default, but received notice too late. He begs to submit proof at a new hearing.

Granted and notice served to Captain Dauterive.
Faded.

Attachment of Funds. February 20, 1727. Sheriff Vincent seizes the amount of 60 francs against Francois Larchevesque in recovery of Jacques Larchevesque's claim against Mr. Rossard.

Petition to Obtain Slave. February 20, 1727. Charles Droy, guardian Millon minors, moves to obtain possession of a negro who was included in Abbé D'Arquevaux's legacy to late widow *veuve* Millon.

Mr. Delachaise, administrator of LeBlanc grant would reject this claim for want of corroborating proofs. Besides a similar petition is already filed by Joseph Millon.

No note by court.

Decision Between Gaspar Aigle and St. Julien. February 21, 1727. Further in process.

Costs reserved.

Petition in Boundary Suit. February 22, 1727. Mr. Dalcour charges Officer Dupuy Planchard with insubordination

to the Council's final decrees. Let him be cited to *prove* that Messrs. Trudeau and Dalcour shifted the bounds in question. In default, let him pay 1000 francs in reparation for calumny, and an appropriate fine for the cause of alms.

Matter communicated to D. P.

Petition of Recovery. February 22, 1727. Mr. Rossard, attorney for vacant estates, moves to collect a note 180 francs from Jacques Larchevesque. The note passed through various hands and is now among the effects of deceased *Dame La Lancette*.

Action granted.

Order to Produce Proof. February 22, 1727. Acceding to the plea of opposition filed by Joseph Bureau, the Council directs him to establish his proof within eight days before Mr. Bruslé.

Costs reserved.

Notice served to J. B.

Summons to Testify. February 27, 1727. At the instance of Joseph Bureau, Sheriff Vincent notifies one Léonard, traveler, to appear at 2 p. m. and attest the truth.

Testimony in Trading Suit. Louis Léonard, traveler, aged 26, *heard it said* "among the Yazoos" that Renaud Dhaute-rive drove a forced bargain with Bureau; and the witness adduces personal charges to the intent of forced bargaining by R.D. with witness.

Top torn.

Summons to Plead. February 28, 1727. Sheriff Vincent, at the instance of Captain Renaud D'Hauterive, notifies Joseph Bureau and (alternately, it would appear) one Branton, to attend the hearing appointed for March 1, and plead in given suit.

Petition in Boundary Suit. March 1, 1727. Mr. Trudeau likewise demands proof of Mr. Dupuy Planchard that the disputed line was shifted unlawfully. The right marks were in place before D. P. came to the premises (as occupant). Let D. P. pay 100 francs in fine, and be nonsuited. (Mr. T. also proposes to be fined if in error.)

Decision in Sundry Suits.

March 1, 1727.

1. Reynaud *vs.* Bureau. B. nonsuited and subject to costs.
2. Rossard *vs.* Jacques Larche. L. to pay 180 francs and

costs; 80 francs in March current, 100 in two months later.

3. Delachaise *vs.* Delery. Deferred and costs reserved.
4. De Sanson *vs.* DeVerteuil. —

Notice of Procedure. March 4, 1727. Sheriff Vincent notifies Mr. Roquet, attorney for Mr. de Verteuil, that the suit between Surgeon Dedoüa de Sanson and himself will be further pleaded on Saturday next.

Petition of Recovery. March 4, 1727. Arneau Bonnaud, former guard of stores in the Province of Louisiana, attorney for Mr. Martin Desmorges, moves to collect 367 francs and 15 sous, irrespectively of a borrowed quarter of salt, from one *Orlean* Carter, due on his note of March 9, 1723.

Action allowed.

Memorandum of Supplies Furnished. March 5, 1727. Undersigned workmen of late La Rivière, wood contractor for Company, certify that one Remon furnished their master, both before and after his death, provisions on which there is now due the sum of 267 francs, 10 sous.

Petition for Official Viewing. March 5, 1727. Jean Baptiste Bergeron, new tenant of *Pailhoux* plantation seeing that he is to maintain the buildings and certain appurtenances in good condition asks the Council to appoint arbitrators to make a fair estimate; the same to serve as reference when his lease expires.

Approved and further provided.

Petition of Recovery. Natchez. March 6, 1727. Merveilleux, captain and commander at Natchez post, agreed with St. Ammant of N. O., to trade *aux Schachoux* for half shares of profit. M. furnished his equal portion of goods, but St. A. refuses to render account as agreed between them. Let St. A. be held to terms of contract.

Copy of essential terms is adduced.

Approved and notice served, N. O., August 8, 1727.

Remonstrance. March 7, 1727. Mr. Trudeau, both for himself and for Mr. Dalcour, protests against the three witnesses chosen by Mr. Dupuy Planchard, and calls for irreproachable witnesses. He shows wherein the three in question are objectionable. He will hold Mr. D. P. responsible for any disarrangements on plantation of T., and for loss of time, besides honorable amendment.

Petition in Remonstrance. March 8, 1727. Officer Dupuy Planchard denies validity to the objections urged by

Messrs. Trudeau and Dalcour to his witness. T. and D. have insulted an officer, and he would have them restrained from "using offensive terms in their writings." Let them be held to all costs, damages and interests.

No note by court.

Court Order of Adjournment. March 8, 1727. Chevlier François de Mandeville, proprietor at Point St. Antoine, or Marigny *vs.* Roquet, in opposition.

Parties will submit their case, plus papers, to Councillor Prat, within eight days.

Costs reserved.

Notice served to Mr. Roquet.

Decision Between de Sanson and DeVerteuil. March 8, 1727. DeVerteuil shall pay surgeon's salary of 600 francs a year, from date of January 18, 1725 (arrival of *La Gironde*) until past October 4, contract of service will then be dissolved. Besides Dr. de Sanson is entitled to recover whatever sums he advanced to the land grant; proper vouchers promised.

Costs on DeV.

Notice served to DeV., March 11, 1727.

Decision in Sundry Suits.

March 8, 1727.

1. Bourbeau *vs.* Buquoy *alias* Plaisance. Blackened scrawl. P. to pay.
2. Blackened scrawl.
3. Adjourned.
4. See decision between de Sanson and DeVerteuil.
5. De Manville *vs.* Roquet. See Court Order of Adjournment.
6. Dupuy Planchard *vs.* Trudeau and Dalcour. Further pending.
7. Duval *vs.* Jacob. Nonsuited.
8. Prat *vs.* Damaron. Further pending. Suit 1. appears to turn in favor of Bourbeau, subject to some adjustments duly provided, but indistinctly preserved.

Filed No. 236.

Charred and broken.

Petition in Recovery. March 10, 1727. Bourbeau has not yet received satisfaction from Henry Buquoy *alias* Plaisance on account of the crippled ox. The one yoke at Bourbeau's disposal can barely drag their own "harness" over the bad roads in cypress tract, and this means much loss in delivery of wood. Let Buquoy be cited.

Action forward.

Stained.

Petition to Seize Property. March 10, 1727. Lagarde, being otherwise unable to collect his residue account of 6910 francs from *Dreux frères*, on the real estate which he sold them, seeks to recover by process of attaching the mortgaged property. He will make allowance for partial payments already received.

Dreux frères are cited to appear for hearing.

Petition of Recovery. March 11, 1727. Antoine LeVeuve claims of Sieur Ménard the sum of 340 francs, and moves for legal action.

Granted.

(Where Antoine appears more grammatically as Le-Veuf).

Summons to Sanction Witnesses. March 13, 1727. At the instance of Officer Dupuy Planchard, Sheriff Vincent notifies Messrs. Trudeau and Dalcour to appear at 2 p. m. to pass on selection of witnesses in pending suit.

Registration of Credentials. March 15, 1727. Order to such intent in case of Mr. Perrier, Commander General of Louisiana Province, and of Mr. Duderon, Second Royal Lieutenant of same Province.

Signed in each case (but in varient order) by Boisbriant, Perault, Delachaise, Bruslé, Fazende, Prat, Fleuriau.

Filed No. 237.

Request for Filing of Credentials. March 17, 1727. Raymond Amyault D'Auseville, bearing license from the King to sit in the Superior Council, asks to have his credentials registered.

Referred to Attorney General, who assents forthwith.

Testimony on "Life and Morals." March 17, 1727. Witness Claude Bartelon (signed Barthellon), aged 38, knows Mr. D'Auseville to be honest and competent to serve as Councillor; that he is a practical Catholic, and a man of upright life and morality.

Witness Louis Mondreton, aged 33, secretary to Commander General Perrier, attests that Mr. D'A. is a good moral man and a practical Catholic.

Filed No. 239.

Stained..

Petition for Seat in Council. March 17. 1727. Louis Bru, whom the King has honored with credentials for office in the

Superior Council, and this on recommendation of Company of the Indies, asks to be received accordingly.

Attorney General orders registration of said credentials.

Testimony on Life and Morals. March 17, 1727. Secretary of Council *Jean Baptiste De Chavannes*, aged 33, knows Mr. Bru to be honorable and upright, a practical Catholic, and conversant with affairs.

Witness *Jean Baptiste Massy*, aged 40, holder of a grant, knows by experience that Mr. Bru is a man of rectitude and honor; and witness has also observed Mr. Bru to be a practical Catholic.

Filed No. 238.

Petition to Take Possession. March 17, 1727. *Arnaud Bonnaud*, sometime guard of Company stores, now acting for *Claude Trenonay*, *director-elect* of Dubuisson grant in place of *DeVerteuil* (deposed), shows that until Mr. T. arrives, it was good economy for Mr. A. B. to take charge and prevent further loss on the grant.

Court approves at risk of those concerned and authorizes Mr. B. to occupy in due form (as described at length).

DuBuisson grant is stated to be 30 leagues from New Orleans.

Notice served to Mr. *DeVerteuil*, who shall be present at the formalities.

Admission of New Councillors. March 18, 1727. In view of satisfactory antecedents in regard to credentials and testimonials, the Council orders due reception of Messrs. *D'Auseville* and *Bru*: so long as His Majesty may please.

Filed No. 240.

Petition of Recovery. March 18, 1727. *Dulude* and *de Noyan* received only a part of the Spanish money due them by Mr. *Rossard* as attorney for the estate of late *Duval Chevreuil*, goldsmith, and seek to collect the residue: three *piastres* for Mr. *Dulude*, 6 *ditto* for *de Noyan*. It now appears that the money had been deposited with the said goldsmith for him to make the desired goblets.

Action allowed.

Duplicated.

Summons to Attend Hearing. March 18, 1727. Sheriff *Vincent* notifies *Dreux Frères* to attend pleading in suit between *Lagarde* and themselves on Saturday next at 8 a. m.

Petition to Remove Seals. March 22, 1727. Arnaud Bonnaud asks that the seals which were yesterday affixed to some appurtenances of DuBuisson grant be removed for the purpose of taking an inventory.

Approved, and notice served to Mr. DeVerteuil.

Decisions in Civil Suits.

March 22, 1727.

1. See 27⁸⁴. Referred to Mr. Bruslé. Costs reserved.
2. See 27⁸⁴. Charred and broken piece-meal.
3. LeVeuf *vs.* Meynard. M. in default; Judgment in favor of plaintiff.

Preceding the suit is a charred and broken scrawl; then a nearly intact scrawl to the intent that a certain "treaty" between the Jesuit Fathers and the Company shall be registered, and executed to its form and import.

Filed No. 241.

Petition of Recovery. March 24, 1727. Joseph Dandonneau, *alias* Sable, seeks action of attachment against former Director DeVerteuil, both for arrears of salary (as steward) and for what he advanced in the way of supplies and other credit.

Approved, and measure provided.

Memorandum of Medical Attendance. March 26, 1727. Unsigned statement of "remedies which I administered to Mr. Babase." Total account, 200 francs.

Memorandum of Medical Account. March 26, 1727. P. De Manade charges Monsieur Babache with two doses of rhubarb and manna, 12 francs; five bottles of a pectoral potion, 12 francs; four visits, 8 francs; total, 32 francs.

A second hand skin which Mr. B. promised along with sale of a slave, will not be needed; he may keep it in "place of the soap which he kindly lent me."

Letter of Carriere to Mr. Babache. March 26, 1727. "Mr. Broutin is to remit you the sum of 400 and some francs. Orleans woman will let you have two pounds of butter and two cheeses."

No date nor place expressed. Found with x274.

Attachment of Goods. March 26, 1727. At the instance of Joseph Dandonneau, Sheriff Vincent seizes goods against Captain de Noyan and Mr. Roquet, both rice and corn included, and cash as well, for satisfaction of J. D.'s claim of 2000 francs. The seized parties are also notified to appear in Court, April 4, 8 a. m. (Saturday by lapse for Friday since April 19 fell on Saturday.)

Summons to Attend Hearing. March 26, 1727. More detailed notice to Messrs. De Noyan and Roquet to appear, and wherefore, on April 4.

Notice calls for *Saturday*, April 4; but the notice for year 1727 at large point to an error for *Friday* here, as April 19 fell on Saturday, and *October* 4 on Saturday.

Sheriff's Writ Contested. March 26, 1727. At the instance of Mr. Arnaud Bonnaud, attorney for Director-elect Trenony de Chanfret, Mr. DeVerteuil is notified that he must now look to his devices; he will receive no further support nor have lodgment, on DuBuisson grant. He shall turn in his account to Mr. Bonnaud.

Mr. DeV. protests at the entire proceedings: his side of the case ought to have been formally examined prior to such *summary execution*.

Notice in Attachment Proceedings. March 27, 1727. At the instance of Surgeon Dedous de Sanson, Sheriff Vincent summons Mr. DeVerteuil to appear and ratify the seizure today effected against Captain de Noyan, in account with DuBuisson grant and with Mr. DeV.

Hearing set for April 4, 8 a. m.

Attachment of Goods. March 27, 1727. At the instance of Surgeon Dedous de Sanson, Sheriff Vincent seizes Captain de Noyan of goods belonging to Dubuisson grant while Mr. De Verteuil was director, together with cash, towards the satisfaction of surgeon's claims. The Captain shall appear on April 4 in this connection.

Petition of Attached Goods. March 28, 1727. Arnaud Bonnaud, learning that Mr. DeVerteuil has diverted some property of DuBuisson grant, asks to include such diverted goods in the impending inventory.

Approved at risk of whom concerned.

Petition of Recovery. March 29, 1727. Jacques Le Maire lent 6 Spanish dollars and 10 francs in copper to Noël Aubiot, and seeks legal action to collect the same in kind.

Approved, and notice served.

Petition to Expedite Inventory. March 31, 1727, Arnaud Bonnaud, to save time and expense, asks leave to bring from one Cardinal's to the Recorder's office, some trunks of DuBuisson grant, for process of inventory.

Approved, and inventory to be made in presence of Mr. DeVerteuil. Trunks will then go back to the Cardinal's.

Edges torn.

Petition in Attachment Proceedings. March 31, 1727. Arnaud Bonnaud asks that the goods to be viewed today shall be sorted: those of the grant to be consigned to A. B.; those of DeV. to be seized until he renders account of his administration. Distribution thereafter as shall be adjudged correct.

Contingently approved. DeV. shall be notified, and his portion may be seized at risk of whom concerned.

Criminal Procedure. March 31, 1727. Examination of *Sansoucy*, runaway Indian slave (unbaptized) of Mr. La Vigne's, aged about twenty. "Marooned," because he was afraid to return after failing to find an ox that had gone astray.

Took refuge in a village called *des Natanapallé*, where there were fifteen other fugitive slaves. He mentions owners' names. These runaways had eleven guns and some ammunition, and meant to defend themselves if molested for capture. Answers through Company's interpreter. *St. Domengue*.

Charred and partly crumbling.

Decision Between DeVerteuil and Bonnaud. April 2, 1727. Property of grant shall be turned over to B.; goods of DeV. and of Madame DeV. for their own use shall be left with them, subject to security.

Costs reserved.

Document in bad shape and partly gnawed away.

Filed No. 243.

Petition of Recovery. April 5, 1727. Arnaud Bonnaud, attorney for Martin Desmorges (returned to France) moves to collect a tedious aggregate of claims against Mr. DeVerteuil. Protested letter of exchange is at stake; and there are dues of rice and corn together with hire of slaves and cows. Attachment of goods desired.

Approved, at plaintiff's risk.

Notice served to Mr. DeV. (April 8).

Remonstrance. April 5, 1727. Surgeon Edouard (heretofore "Dedoua") Sanson files opposition to removal of seals from goods of DeVerteuil before surgeon's claims be discharged.

Signed D.; Douad De Sanson.

Rossard, Recorder.

Security Offered and Accepted. April 7, 1727. Mr. DeVerteuil names for his security in his suit with Bonnaud, Officer Petit de Livilliers. Mr. Bonnaud has no objection to this choice, but would first collect 900 francs (board al-

lowance) for his brother-in-law, Sieur DuBuisson de Montférerie.

Court ratifies choice of Mr. Petit de Livilliers, and declines to consider the demand on the behalf of said brother-in-law; he may shift as he sees fit.

Filed No. 245.

Receipt of Personal Effects. April 8, 1727. DeVerteuil acknowledges that Rossard, recorder, has released four trunks and contents belonging to Madame DeV. and Mr. DeV.

Receipt of DuBuisson Goods. April 9, 1727. Bonnaud has received of Mr. Rossard a specified list of goods belonging to DuBuisson grant, but found in the trunks of Monsieur de Verteuil. Items include a mosquito net of white bunting; a pewter rice bowl; a covered pewter dish; six tobacco knives with horn handles.

Mosquito net was valued 30 francs.

Motion to Try Runaway Indian. April 9, 1727. Attorney General Fleuriau reports that an Indian slave who ran away two years ago has been caught and is now in prison. Slave belonged to Company Cashier Duval, and is accused of having enticed a slave "savagess" of Mr. Saint Amand's to rob her mistress and runaway with said fugitive.

Let the case be thoroughly probed.

Approved: Delachaise.

Criminal Procedure. April 9, 1727. Examination of Indian slave, through interpreter St. Domengue. Name given as *Godin* of the *Oquelonex* tribe. Unbaptized; about 22 years old (in appearance). Ran away by mad impulse with slaves of Mr. Tisserant. Joined a party of other fugitives, beyond the lake, but left them afterwards.

No victuals left but potatoes and fish.

The runaway slaves' chief is the slave of Mr. Tisserant.

Filed No. 246.

Request for Administration to Council. April 16, 1727. Marc Antoine de La Loere des Ursins, seeing that it has pleased the King to grant him a commission as member of the Superior Council asks to be installed. Commission as *fourth* councillor.

Referred to the Attorney General, who assents on condition of the usual oath. Other forms were waived because the applicant (whose commission dates from August 24, 1726) has already officiated as First Councillor

in the Provisional Council of Illinois, and "passed" in the articles of morality and Catholicity.

Summons to Attend Hearing. April 17, 1727. Sheriff Vincent notifies Arnaud Bonnaud, director of DuBuisson grant, and former director DeVerteuil, to appear on Saturday, April 19, when satisfaction will be rendered to the claim of Joseph Dindonneau (previously given Dandonneau) *alias* Sablé.

Petition of Recovery. April 17, 1727. St. Martin de J'Aurequiberry, former guard of company stores, received a draft of 650 francs from Mr. Marlot, drawn by Mr. Raquet on a Paris grocer Restaud, for value of a negro lad Cupidon. Draft was protested, and Mr. Raquet answers that he is ready to surrender Cupidon for 650 francs, due on a note of Marlot's. Not so, St. Martin objects, he cannot accept Cupidon *in kind*: slave market is likely to depreciate from new importations, and besides, Cupidon is now marked by branding. Let Mr. Raquet pay draft in silver; Mr. St. M. is also willing to redeem the Marlot note on fair-terms.

Note served to Mr. Raquet.

Certificate of Catholicity. April 19, 1727. R. P. Raphael, Vicar General, certifies that Mr. Marc Antoine Laloire des Ursins, makes a profession of the Catholic Apostolic and Roman religion, and that he has exercised the same since practically since resident in the Colony.

Petition of Recovery (Renewed). April 19, 1727. Joseph Dandonneau, *alias* Sablé, has not yet received one sou of his arrears, due by DuBuisson grant. He now desires an allowance of four francs a day pending collection.

No note by court.

Decisions in Civil Suits.

April 19, 1727.

1. DeVerteuil *vs.* Bonnaud. Deferred in behalf of certified accounting. Costs reserved.
2. Dandonneau and De Sanson *vs.* DeVerteuil. Judgment appears to favor payment of net claims to plaintiffs by the act of scrawl.

Filed No. 248.

Report of Search. April 19, 1727. To the effect that no specie was found on the premises of Sieur Duval. A bag of cash (about 120 francs) belonging to Mr. De la Renaudaye, was left, as of right, in his possession.

Signed: Chasneau, Desursins, Dechepare, Renaudaye, Gaultry.

Rossard, Recorder.

Filed No. 247.

Court Order in Recovery Suits. April 19, 1727. Creditors Estienne Milon (here given Millon), and Surgeon Sanson, shall be paid from assets of DuBuisson grant, interest included. Costs on Director Bonnaud.

Decision Between St. Martin and Raquet. April 21, 1727. Raquet shall pay claim of 650 francs and costs of protest, plus court costs, in current money.
Filed No. 262.

Decision Between DeVerteuil and Bonnaud. April 26, 1727. DeV. shall render account of his management within three months, to the end of fair adjudication thereafter.
Costs reserved.
Filed No. 249.

Arbitration Sentence Confirmed. April 26, 1727. Messrs. Broutin and De Coustilhas who were empowered to arbitrate the dispute between Dupuy Planchard and Messrs. Trudeau and Dalcour, ask that their verdict of April 19 (terms not stated here), be confirmed.

Seconding the Attorney General's recommendation, the Council orders the said verdict to be carried out in full.

Signed: *Perrier, Delachaise.*
Filed No. 250.

Marriage Contract. April 27, 1727. -Parties: Jean Antoine Malon, native of Turin, parish of St. Augustine and Demoiselle Marie Magdelaine de Mangon de la Tour, native of Arras.

Petition of Recovery. May 7, 1727. Mr. De La Loëre des Ursins moves for citation of Mr. de Kolly, responsible for a note of 344 francs, dated January 26, 1723, and issued by Céard, director of Ste. Reine grant, to Mr. de La Loëre de Flaucourt, petitioner's brother. (Mr. Kolly has made unexpected objections to paying).

Action allowed, and Mr. Kolly is summoned to answer, and to see the appertaining conclusions adjudged.

Petition of Recovery. May 18, 1727. Alexandre Metinier *alias* Godet, claims 36 francs and 6 sous from one Claude Chape *alias* Lachapelle, due on his note of May 26, 1723, together with 3 francs of thwarted collection twenty months ago.

Notice served.

Petition of Recovery. May 8, 1727. Mr. Perault, royal commissioner in this colony, sold to Pouyadon some handker-

chiefs of the Indies for 36 francs; whereas "that debtor uses wrong means to dispense himself from satisfying."

Action allowed, and notice left with Mr. Puoyadon's negress Marie Anne.

Petition to Recover Official Dues. May 9, 1727. De Chavannes, Secretary to Council, complains that Messrs. de Boisbriant, Fazende, Perry, Fleuriau and Perault deposed him from February 9, 1726 till May 1, same year. Meanwhile he still served under orders of Messrs. Delachaise and Bruslé, but without compensation: his dues being paid to Mr. Estienne by order of Messrs. Perault, Fazende and Perry. All this was in "rebellion" to orders of the company, which sustained Mr. de Chavannes.

Let Mr. Perry and Mr. Perault be cited before sailing for France.

Notice served.

Decisions in Sundry Suits.

May 10, 1727.

1. Dolly *vs.* Gilbert. Provisos of mutual (apparent) adjustment by *scrawl*. Costs divided.
2. DeChavannes *vs.* Perrault and Perry. Adjourned, subject to security. Costs reserved.
3. Perault *vs.* Pouyadon. Contingent award of claim (apparently on proviso of proof thereof.) Costs reserved.
4. De la Loire *vs.* Kolly. Nonsuited. Costs divided.
5. Metinor *vs.* Chappe. Claim allowed.

Filed No. 251.

Security Tendered. May 11, 1727. Mr. Perault pledges himself to answer for Mr. Perry in the suit moved by Mr. De Chavannes.

Filed No. 252.

Homicide a Charge in Defence. May 12, 1727. De Chavannes *vs.* Perault and Perry. Mr. Perault states that their opposition to Mr. de C. was based on *homicide* by him committed in France; this causing his own "civil death."

Mr. P. request more time, for adequate investigation.

No note by court.

Faded.

Petition of Recovery. May 13, 1727. Michel Roger claims a debt of 76 francs against estate of late Duval Chevreuil; so acknowledged in deceased's will.

Notice served to Mr. Rossard, attorney.
Duplicated.

Summons to Attend Hearing. May 16, 1727. At the instance of Mr. Chavannes, Sheriff Vincent notifies Mr. Perault to appear in the suit urged against him, on Saturday at 8 a. m.

De Chavannes vs. Perault. May 16, 1727. Mr. Perault urges in defence: Company did indeed reinstate Mr. DeC., but made no requisition for his salary while he was deposed. And since he worked in the Company's employment, under Messrs. Delachaise and Bruslé: therefore let him look to the Company for his pay.

Petition of Recovery. May 17, 1727. Mr. De La Loere des Ursins, bearer of a note by the late Mr. Céard, asks for citation of Mr. Rossard, attorney for vacant property, to pay the same.

Approved and notice served.
Duplicated.

Sale Announced (Real Estate) May 17, 1727. Auction of two staked lots in *rue Bourbon*, with house and poultry house, terms cash; to take place on May 26. Item, a slave will be sold on May 25. Property of late La Rivière.

Sale of Real Estate Announced. May 17, 1727. On May 26, three lots and appertenances, including dovecote and pigeons. Property of late Balingant *alias* St. Quentin. Terms cash to highest bidder.

Petition to Sell Real Estate. May 17, 1727. Mr. Rossard, attorney for vacant property, shows that the lots and buildings belonging to late Edmé Balingant *alias* St. Quentin are daily on the decline, and should be sold.

Approved, subject to usual forms of law.
Crumpled and torn.

Motion for Sale of Property. May 17, 1727. Attorney General Fleuriau reviews the affairs of the late Gaumy *alias* La Rivière, who died at Natchez while on business for the Company (contract of timber) and left a partly paid house at N. O., together with two negroes (one of them still at Natchez.)

Let property be sold in settlement of debts and for benefit of surviving minor children.

Council orders appointment of a guardian, and sale.
Hire shall be paid for slave at Natchez.

Filed No. 254.

THE EDITOR'S CHAIR

The delay in getting out our several issues has been found unavoidable so far as the management of the Quarterly is concerned. Number 2-Volume 3 of April, 1920, which has been distributed among our members and which is devoted to the single topic "The History of the Foundation of New Orleans," from 1717 to 1722 by Baron Marc de Villiers and translated from the French by Mr. Warrington Dawson, was given the precedence over all other matters by its intrinsic value and in recognition of the good will displayed by our friends in France in securing to us the privilege of the publication of this valuable contribution to Louisiana literature. To Mr. André Lafargue, of New Orleans, we are greatly indebted for the earnestness with which he took up this matter with the correspondents in France, and in addition to securing copies of the book as published in Paris, he also secured the translation which was made with Baron de Villier's permission to the translator, so that same might be published by The Louisiana Historical Society. Mr. Lafargue also obtained all the illustrations which appeared in the April, 1920 number, and gave all necessary aid in arranging the illustrations to correspond with the history as it developed. Mr. Lafargue's indefatigable work deserves our grateful recognition.

The leading article in this issue, "Liberty Monument" by Mr. James A. Renshaw, one of the participants in the tragic drama of September 14, 1814, is written in the kindly, conservative spirit that enables Mr. Renshaw to look back now to the events of half a century ago in Louisiana with a degree of placidity that would have been impossible a few decades ago when the wounds of the civil war were gradually healing.

The continuing research work of Hon. H. P. Dart in the Archives of the Society brings out many singular events, usages and other data concerning the early history of Louisiana much of which would escape the notice of the average reader unless his attention was especially called thereto as is so well and interestingly done by Mr. Dart. With these data that are being brought to light by Mr. Dart

the research into the history of Louisiana, always of intense interest, is taking on renewed vigor and interest.

A reminiscense of the days long gone, of France and her citizen king, Louis Philippe, who was called to the leadership by the three days' revolution in July, 1830, is a resolution adopted by the Louisiana House of Representatives in session in New Orleans, March 24th, 1831—just ninety years ago. The resolution in French explains itself and it is followed by a good English translation. The conspicuous feature of the resolution is the fact that some of the families whose ancestral names appear therein are maintained to the present day. The president of the Chamber, or as we now term it, the Speaker of the House, Mr. A. Mouton, who afterwards was elected Lieutenant Governor, was the head of the well known and large Mouton family of Lafayette parish. The Secretary was Mr. Armand Pitot, the son of the first mayor of New Orleans under Governor Claiborne. Mr. Pitot was the father of that well known gentleman, Mr. Gustave Pitot, now retired, but for years the manager of the Savings department of the Citizen's Bank. Mr. Gustave Pitot's daughter, Miss Alice, is now teacher of music in the Sophie B. Wright Girls' High School.

We presume that Mr. T. C. Nicholls was the father of Governor Nicholls of our day and now represented by Mr. Frank Nicholls, the Governor's son, resident on the old homestead in Lafourche parish. The Claiborne family speaks for itself with its many prominent members at the present day. Louis Philippe, made citizen king in 1830, fell from his place in the French Revolution of 1848 when Louis Napoleon was made president of the republic and finally became emperor in 1852 and the congratulations of our own people as expressed by Governor Mouton and his coadjutors failed in their purpose of maintaining the Citizen King.



